THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 19th November 1930.

The House met at 11 o'clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT:

Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Mahomed.
Krishnan Nayar, The hon. Diwan Bahadur Sir M.
Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.
Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.
Muniswami Nayudu, The hon. Diwan Bahadur B.
Rajan, The hon. Mr. P. T.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alaganan Chettiyar, Rao Sahib A. S.
Alamelumanga Thayarammal, Mrs. K.
Arasu, Mr. V. T.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Bayabani Sahib Bahadur, S. M. K.
Bayappa Reddi, Mr. P.
Birley, Mr. Frank.
Browning, Mr. W. M.
Davis, O.B.E., Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Dorai Raja, Mr. S. N.
Ellappa Chettiyar, Rao Bahadur S.
Foulkes, Mr. R.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Harishandrudu Nayudu, Mr. A.
Hearson, Mr. H. F. P.
Hilton Brown, I.C.S., Mr.
Indraiah, Mr. C.
Jagannadha Raju, Rao Bahadur G.
Jagannatham, Mr. H. M.
James, Mr. F. E.
Kesava Ramamurthi Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Kondappa, Mr. A.
Koti Reddi, Mr. K.
Krishnamurti, Rao Sahib D.
Kumara Raja of Venkatagiri.
Kuppuswami, Mr. J.
Leach, I.C.S., Mr. A. G.
Luker, Mr. A. T.
Madanagopal Nayudu, Mr. R.
Mahboob Ali Baig Sahib Bahadur.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muhammad Meera Ravuttar Bahadur K. P. V. S.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Nachiyappa Gounder, Mr. A.
Nadimuthu Pillai alias Chinnu Pillai, Mr. A. Pl. N. V.
Nallatambi Sarkarai Manradiyar, Rai Bahadur N.
Nanjappa Bahadur, Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Mr. D. V.
Narayanan Nambiyar, Mr. V. P.
Narayanaswami Pillai, Mr. T. M.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Parthasarathi Ayyangar, Mr. C. R.
Pate, I.C.S., Mr. H. R.
Patnaik Mahasayo, Sriman M. G.
Pattabhiramayya, Mr. K.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Raja of Bobbili.
Raja of Kallikota.
Ramachandra Padayachi, Mr. K.
Ramalingam Chettiyar, Rao Bahadur T. A.
Ramakrishna Reddi, Mr. A.
Raman Menon, Mr. K. P.
Ramamurti, Pandit Ganala.
Ramamurti, I.C.S., Mr. S. V.
Ramaswami Ayyar, Mr. T. S.

PRESENT—*cont.*

Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, Mr. M. D T.
Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Sahajanandam, Swami A. S.
Sami Venkatachalam Chettiar, Mr.
Satyanarayana Choudari, Mr. C.
Sesha Reddi, Mr. B. P.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. Gade.
Singam Ayyangar, Mr. K.
Siva Raj, Mr. N.
Sivasubrahmanya Ayyar, Mr. K. S.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmaniam Chettiyar, Rao Sahib P.
Subrahmania Bhat, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajudin Sahib Bahadur, Khan Sahib.
Thomas, Daniel, Mr.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Mr. M.
Venkatarama Ayyar, Mr. K. R.
Venkataramayya, Rao Sahib Badeti.
Venugopala Nayudu, Rao Sahib R. K.
Watson, I.C.S., Mr. H. A.
Yahya Ali Sahib Bahadur, Khan Bahadur.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur.
Zamindar of Ettiayapuram.
Zamindar of Minampalli.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Registration

Number of Sub-Registrars in South Kanara.

* 11 *Q*—Mr. A. B. SHETTY: Will the hon. the Minister for Public Works be pleased to state the number of sub-registrars employed in South Kanara and the communities to which they belong?

A.—The attention of the hon. Member is invited to the latest list of officers of the Registration Department.

Mr. A. B. SHETTY:—"May I know, Sir, whether in making these appointments hereafter in the South Kanara district, the claims of the communities hitherto unrepresented in this department will be considered?"

The hon. Mr. P. T. RAJAN:—"The question of making appointments in the Registration Department is now guided by the Communal Government Order, and in the matter of appointments to the South Kanara district, my hon. Friend's suggestion will be considered."

Floods

Floods in the districts of Trichinopoly and Tanjore.

* 12 *Q.*—Swami A. S. SAHAJANANDAM: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether the Government are aware of the floods in the southern districts of Trichinopoly, Tanjore, etc., and the loss sustained by the poor ryots; and

(*b*) if so, what steps have been taken by the Government for the relief of the distressed?

A.—(*a*) Yes, in Tanjore, Trichinopoly and Coimbatore.

(*b*) On the application of the Collectors, the Government have sanctioned special grants of money for the relief of distress. Relief committees have been formed in all the districts and the

measures taken have varied according to the necessities of the situation. Destitute refugees have been fed and clothed; funds have been granted to the homeless to rebuild their houses and in the Trichinopoly district co-operative societies are being formed for this purpose; paddy seed is being distributed; and employment is being found in the repair and reconstruction of roads, irrigation works and railways. [a] Copies of the more important reports received on the subject are laid on the table.

Mr. M. DEVADASAN:—"May I know, Sir, whether this relief to the distressed people includes relief to the depressed classes?"

The hon. Mr. A. Y. G. CAMPBELL:—"I think the answer to that will be found in the answer to the next question No. 13."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know whether with a view to relieve the distress, when final detailed reports are received, the Government will be pleased to enhance the contribution of Rs. 10,000 which they are now making?"

The hon. Mr. A. Y. G. CAMPBELL:—"If it is necessary and if applications are received for such enhancement of the contribution, the question will be considered."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I know, Sir, whether in view of the fact that floods and consequent damages in those districts are of frequent occurrence, the Government have taken any steps to carry out any scheme in the Cauvery delta area, with a view to divert the upland drainage into the Coleroon?"

The hon. Mr. A. Y. G. CAMPBELL:—"If the hon. Member refers to the diversion of flood water from the Vennar, yes, Sir. A scheme is now being carried out with a view to divert a portion of the flood water from the uplands just above the Grand Anicut into the Cauvery and thence into the Coleroon."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"I am referring, Sir, to the proposal to divert a large part of the upland flood water above the Kachamangalam anicut into the Coleroon."

The hon. Mr. A. Y. G. CAMPBELL:—"If the hon. Member wants further details, I must ask for notice of that question."

Mr. S. N. DORAI RAJA:—"Since it is a well-known fact that Kallars are very poor people and most of them are agriculturists, will the Government be pleased to take immediate steps to give relief to the Kallars who are very badly affected?"

The hon. Mr. A. Y. G. CAMPBELL:—"The local officers have taken all possible steps they can to give relief to poor people. If any representation is specially made to the Government, it will be considered."

Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—"Will the Government be pleased to give a rough idea at least of the losses in the Tanjore and Trichinopoly districts in view of the fact that the hon. the Revenue Member toured those districts recently?"

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[a] Printed separately.

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The hon. Mr. A. Y. G. Campbell :—"It is not possible to give any estimates that might be regarded as even approximately accurate in spite of such personal knowledge as I have obtained, for it is only recently that the flood water began to recede in a large part of the land that was flooded. We have however called for estimates of the damage, and I should be pleased to place them on the table of the House as soon as they are received."

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur :—"Will the hon. Member be pleased to state what is the actual grant of money that has been made to the Trichinopoly and Tanjore districts?"

The hon. Mr. A. Y. G. Campbell :—"These figures are given in the statements laid on the table of the House."

Mr. T. S. Ramaswami Ayyar :—"Can the hon. Member give us any information as to what effect has been given to Colonel Smart's Scheme of 1903 or 1904?"

The hon. Mr. A. Y. G. Campbell :—"I must ask for notice of the question."

Mr. T. S. Ramaswami Ayyar :—"May I know what steps have been taken to send down the flood water through the Coleroon river instead of through the Cauvery?"

The hon. Mr. A. Y. G. Campbell :—"I have already answered that question to some extent in my answer to my Friend, Mr. Arogyaswami Mudaliyar."

Rao Sahib V. I. Muniswami Pillai :—"May I know whether any steps have been taken to provide employment for poor agricultural labourers who have been affected by the recent floods?"

The hon. Mr. A. Y. G. Campbell :—"Those that have been affected by the floods have obtained employment in certain places where repairs are being executed to railways, roads and irrigation works. I believe those works are still going on."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—"Have Government any idea of the extent of the damage to crops caused in the Tanjore and Trichinopoly districts, and if so, what will be the probable amount of remission that will be made?"

The hon. Mr. A. Y. G. Campbell :—"I have already said that we have called for information as to the extent of the damage to land and crops and so on, and it is too early yet to give expression to any definite opinion as to the extent of damage to crops."

Mr. S. N. Dorai Raja :—"Having regard to the fact that for a long time it has been overdue, will the Government kindly consider whether a committee should not be appointed immediately to see that in future the effects of such disastrous floods are mitigated?"

The hon. Mr. A. Y. G. Campbell :—"I am quite prepared to consider the question whether the appointment of such a committee would be necessary, after we receive the reports that have been called for."

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Mr. T. S. RAMASWAMI AYYAR :—" Are the Government aware of the fact that much of the present damage is due to the fact that there is no particular scheme by which all flood and rain water can be drained from the delta area ? "

The hon. Mr. A. Y. G. CAMPBELL :—" We cannot prevent floods altogether but a report on measures to mitigate the effects of floods has been called for."

Mr. T. S. RAMASWAMI AYYAR :—" Are the Government aware that in two places during the recent floods, troubles arose between the Railway authorities and the village people about the cutting of embankments, that the railway people wanted to close breaches, while the village people did not want them to do so, in order to preserve the safety of their lands ?

The hon. Mr. A. Y. G. CAMPBELL :—" I am not sure whether we have any information to that effect."

Mr. T. S. RAMASWAMI AYYAR :—" The information is contained in report No. V of the reports supplied this morning to the hon. Members of this House—paragraph 5."

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, I see it there. I remembered having read it somewhere, but did not remember whether it was in the reports or in the newspapers."

Mr. T. S. RAMASWAMI AYYAR :—" Will the Government consider the desirability of making arrangements to let down flood water through more culverts in railway embankments, and prevent the causing of damage to the delta area ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, Sir ; I will call for a report on that aspect of the case."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur :—" Are the Government aware that the Government of India caused an enquiry to be made as to the effect of Railway bridges and embankments in causing excessive floods in the country and what the result of that enquiry was ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I must ask for notice of that question.

Mr. T. S. RAMASWAMI AYYAR :—" With regard to the drainage of flood water through the Cauvery and the Coleroon, may I know what is the principle that is being followed, whether the Coleroon alone is expected to take all the flood water or some water is also to be allowed into the Cauvery and its branches ? "

The hon. Mr. A. Y. G. CAMPBELL :—" As far as possible, the water is sent into the Coleroon. This time the flood water was so large in volume that the Coleroon could not take the whole of it and some portion had to be let into the Cauvery. But as to how much of water can be safely let into the Cauvery is a matter for the opinion of experts, and this question as also the extent of the flood and the measures taken to mitigate it, will no doubt be dealt with in the reports which have been called for."

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Mr. T. S. Ramaswami Ayyar :—" Are the Government aware that this is not an exceptional year so far as breaches in the Cauvery are concerned? Even last year there were breaches in certain places, though there were not abnormal floods."

The hon. Mr. A. Y. G. Campbell :—" No, Sir, I believe the floods this year are quite exceptional."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" With a view to make the Coleroon carry the flood water to a larger extent than now, I believe there are a number of proposals connected with the Coleroon river; for instance, have improvements to the Lower anicut and raising the flood banks of the Coleroon been carried out? "

The hon. Mr. A. Y. G. Campbell :—" Yes; certain proposals have been made in connexion with the Coler on; but as regards the nature of the works and the exact work now being carried on, I must ask notice of the question."

Mr. S. N. Dorai Raja :—" With his usual sympathy for the poor, the hon. the Revenue Member has been recently to the Tanjore district. Will he be pleased to give us approximately the extent of relief that he thinks necessary there? "

The hon. Mr. A. Y. G. Campbell :—" I am afraid it is not possible for me to do so; when I was there, a large part of the country was still under water and it was not possible then to say to what extent damage had been done. It was also not possible to see all the places affected personally, as the roads were impassable."

Mr. T. S. Ramaswami Ayyar :—" Has the Government considered the desirability of adopting, in the case of the Cauvery delta also, the same principle as obtains in the Godavari and Kistna deltas and sending the whole of the floods through the Coleroon without using the Cauvery also to carry the flood water? "

The hon. Mr. A. Y. G. Campbell :—" I believe that is the object aimed at here also, that is, it is intended that the Coleroon should carry most of the flood water. Of course a very important work which the Government are now carrying out is the construction of the Mettur dam which, when completed, will act as a flood regulator. When there are local floods in consequence of heavy rain, in the Tanjore and Trichinopoly districts, the flow of water in the Cauvery above Mettur can be checked at the reservoir."

Relief to the Adi-Dravidas affected by floods.

11-15 a.m. * 13 *Q.*—Swami A. S. Sahajanandam : Will the hon. the Member for Revenue be pleased to state—

(*a*) what steps have been taken by the Government for the relief of the Adi-Dravidas whose huts have been washed away by the recent floods; and

(*b*) whether the Government have any idea of providing homeless people with houses?

A.—(*a*) & (*b*) The hon. Member's attention is invited to the answer given to-day to question No. 12. The destitute and homeless persons there referred to no doubt include Adi-Dravida .

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Reports on the recent floods in the Southern districts.

*14 Q.—Mr. G. Ranganatha Mudaliyar: In connexion with the recent rains and floods in the rivers in Tanjore, Trichinopoly and other districts, and the damage caused thereby, will the hon. the Member for Revenue be pleased to lay on the table of the House, the reports of the Board of Revenue and the Collectors concerned as to—

(a) the total number of families that have been rendered homeless, the buildings and other properties lost or destroyed in consequence of the recent floods;

(b) the extent of damage to the standing kuruvai and other crops;

(c) the extent of damage to the transplanted seedlings of paddy;

(d) the total number of livestock that have died; and

(e) the number of breaches closed by the Public Works Department, and the number of breaches closed by private agencies or individuals?

A.—(a) *to* (e) Detailed information to the extent desired by the hon Member has not been received by the Government and is no doubt not yet available. Reports have been called for and on their receipt the question of laying them on the table will be considered.

Mr. C. R. Parthasarathi Ayyangar:—"May I know what steps have been taken by Government for the purpose of protecting the flood banks owing to the floods?"

The hon. Mr. A. Y. G. Campbell:—"If the hon. Member refers to the steps taken before the breaches occur, I believe there are arrangements by which certain officers have specified duties to perform when floods are expected. By means of a telephone, warning is given to the local officers in advance when floods are expected."

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur:—"Are the Government aware that a large tract of the country is threatened with scarcity of water owing to the breaches in the Trichinopoly district?"

The hon. Mr. A. Y. G. Campbell:—"I have not been informed of that yet."

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur:—"Will the Government be pleased to call for the information and, if it is found to be correct, will they take steps to see that the breaches are closed without any delay?"

The hon. Mr. A. Y. G. Campbell:—"As regards breaches in the canals, orders have been issued that they should be closed, but if the hon. Member is referring to tanks, that of course is another matter."

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur:—"I was only referring to canals. What I want to point out is this: if it is a question of cost, will the Government be pleased to issue necessary orders to close these breaches regardless of the cost by paying the labourers' wages in the district to-day and not the scheduled wages of the Public Works Department?"

The hon. Mr. A. Y. G. Campbell:—"The hon. Member's suggestion will be considered."

Mr. K. Singam Ayyangar:—"May I ask the hon. the Revenue Member whether, consequent on the damage due to floods, there is any proposal to make a remission or postponement of the kist?"

The hon. Mr. A. Y. G. CAMPBELL :—" There are rules relating to the postponement or remission of the land revenue and no doubt those rules will be applied. If any special orders are required which the local officers cannot pass, they will no doubt apply to the Government or to the Board of Revenue."

Relief to the people of the flood-affected areas.

* 15 Q.—Mr. G. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether any, and if so, what steps have been taken to ascertain the total estimate of the loss of crops, property or other damage caused by the recent floods ;

(b) whether any enquiry has been instituted by the Board of Revenue or by the Government with a view to ascertain the nature and extent of the relief that has to be given by the Government

(i) by way of remission and suspension of revenue for total or partial failure of crops ;

(ii) by way of advances or loans to cultivators and to the people rendered homeless for the purpose of helping them to repair or rebuild their tenements or otherwise ; and

(c) whether the Government have received any proposals from the Collectors concerned or the Board of Revenue for relief in the manner above set forth, and if so, whether the Government propose to consult this Council before deciding on any action ?

A.—(a) to (c) The hon Member is referred to the answer given to question No. 14. The question of consulting the Legislative Council on the subject will be considered on receipt of the report.

Mr. A. RANGANATHA MUDALIYAR :—" I find in the answer to the question that the question of consulting the Legislative Council will be considered on receipt of the report. I want to know whether it is the intention of the Government to delay the matter until they consult the Council ?"

The hon. Mr. A. Y. G. CAMPBELL :—" Further relief will be given without waiting for the opinion of the Council whenever necessary."

Irrigation

Site for the reservoir of the Tungabhadra project.

* 16 Q.—Mr. K. KOTI REDDI : Will the hon. the Member for Revenue be pleased to state—

(a) in what stage the investigation of the new site recommended by the Ceded Districts Irrigation Committee for the reservoir of the Tungabhadra project is ; and

(b) what other steps the Government have so far taken towards the execution of the above project ?

A.—(a) The investigation of the site at Timmalapuram has been completed.

(b) The Government is in correspondence with other Governments which have an interest in the Tungabhadra.

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Mr. K. Koti Reddi :—" May I know from the hon. the Revenue Member whether the Timmalapuram site has been found to be feasible for a reservoir ? "

The hon. Mr. A. Y. G. Campbell :—" Yes, Sir."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" Is that the only site they are considering ? "

The hon. Mr. A. Y. G. Campbell :—" No, Sir."

Mr. A. Ranganatha Mudaliyar :—" May I know how many Governments are concerned in this matter and with whom correspondence is being carried on ? "

The hon. Mr. A. Y. G. Campbell :—" Three Governments : Bombay Mysore and Hyderabad."

Mr. A Ranganatha Mudaliyar :—" Can you publish the correspondence relating to any one of them ? "

The hon. Mr. A. Y. G. Campbell :—" No, Sir."

Mr. K. Koti Reddi :—" May I know on what matters the Government are carrying on correspondence with the other Governments referred to ? Is it with regard to the site or with regard to the water ? "

The hon. Mr. A. Y. G. Campbell :—" The main questions are those of sharing the waters of the Tungabadhra and also submerging portions of the territories of other Governments."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" May I take it that the Government have not yet come to any decision and whether, taking into account the feeling of the people in the locality, the Government will make up their mind to complete the scheme soon ? "

The hon. Mr. A. Y. G. Campbell :—" The Government are most anxious to carry out the scheme, but it is not possible to do so till they come to terms with the other Governments concerned and necessarily the decision as to which site we should adopt must depend upon the result of the negotiations that are being carried on now."

Diwan Bahadur M. Gopalaswami Mudaliyar :—" May I know whether the hon. the Revenue Member proposed to visit Bellary on the last occasion but had to cancel it on account of the heavy rains and the consequent inaccessiblity of going to the place ? "

The hon. Mr. A. Y. G. Campbell :—" I visited the Malapuram site and I should like to take an opportunity of visiting the other site also, but I cannot make a definite promise when I can do so."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" May I take it that correspondence is going on also with reference to the Timmalapuram site ? "

The hon. Mr. A. Y. G. Campbell :—" Yes, Sir."

Mr. T. Sundara Rao Nayudu :—" Is it a fact that the Tungabhadra river is going to be connected with the river Cooum ? "

The hon. Mr. A. Y. G. Campbell :—" I don't think so."

Mr. T. Sundara Rao Nayudu :—" May I know whether it is part and parcel of the scheme ? "

The hon. Mr. A. Y. G. CAMPBELL :—"I don't think so."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—"May I request the hon. Member for Revenue to come to Bellary at the time of the Christmas, because I believe Mr. Tasker of the Nizam's Government, who is interested in Irrigation schemes, is also visiting Bellary at that time ?"

The hon. the PRESIDENT :—"Order, order. I do not think it is a supplementary question."

Mr. T. NARASA REDDI :—"May I know how many districts are affected by the proposed scheme ?"

The hon. Mr. A. Y. G. CAMPBELL :—"I think four ; Bellary, Anantapur, Kurnool and Cuddapah."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Considering the recommendation of the Ceded Districts Irrigation Committee, may I know whether the Government have decided to treat the Tungabhadra Scheme by itself or merely as part of a larger scheme including Kistna also ?"

The hon. Mr. A. Y. G. CAMPBELL :—"We are also considering the Kistna Scheme."

Mr. A. RANGANATHA MUDALIYAR :—"May I know whether along with the Tungabhadra Project, other projects also are considered and whether the execution of the other projects like Belahal are dependent on the Tungabhadra Project."

The hon. Mr A. Y. G. CAMPBELL :—"With regard to the particular one which the hon. Member refers, I am not quite sure whether it is also included."

Mr. A. RANGANATHA MUDALIYAR :—"May I know if the other projects or portions thereof may be executed irrespective of the fact whether or not the Tungabhadra project is carried out ?"

The hon. Mr. A. Y. G. CAMPBELL :—"I cannot answer without knowing what Projects are referred to."

Loans

Repayment of takavi loans in Bellary district.

*17 Q.—Diwan Bahadur M. GOPALASWAMI MUDALIYAR : Will the hon. the Revenue Member be pleased to state—

(a) whether the Revenue officials in the Bellary district are calling upon the ryots to pay the takavi loans immediately in spite of representations from them that they cannot pay them as they have not yet harvested crops and that they are unable to get advances on their crops from merchants owing to the prevailing economic depression of trade ; and

(b) whether the Government would be pleased to issue instructions to postpone their collection for a period of six months by which time they can sell their produce including cotton ?

A.—(*a*) & (*b*) The payments in question relate to instalments which fell due for collection in March and April 1930 and which have remained uncollected since then. Tahsildars have been instructed by the Collector to make liberal use of rule IX of the revised Loan Rules in cases in which the repayment of the instalment will be unduly burdensome. The Tahsildars of

Hospet, Rayadrug, Alur, Siruguppa and Bellary under the discretion given them by the rule referred to have postponed the collection of certain amounts to fasli 1340. The effect of such postponement is that the amounts originally due in March and April 1930 will not be due now until March and April 1931 and the remaining instalments of the loans in question, including that due in 1340, are each postponed by one year, no interest being charged for the year for which such instalment is postponed. The Government consider that no further relief is necessary.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR :—"May I ask the hon. the Revenue Member whether the system of takavi loan, as gathered from various reports, has been a very unhappy one and whether in view of that is he prepared to write off the loans?"

The hon. Mr. A. Y. G. CAMPBELL :—"We cannot write off all these loans at present."

Jails

Number of persons convicted for political offences from March to October 1930.

*18 Q.—Mr. SAMI VENKATACHALAM CHETTI : Will the hon. the Law Member be pleased to state—

(a) the number of persons convicted for political offences in all the courts of the Presidency from March to October 1930 districtwar and in the City of Madras, with the sections under which they were convicted;

(b) the number of convictions against which appeals were launched, the number of such appeals confirmed by the Appellate Courts, the number of such appeals in which the sentence of the lower Court was quashed or revised or in which a retrial was ordered;

(c) the number of persons placed in each class of prisoners by the convicting Magistrate; and

(d) instances of the classification ordered by the Magistrates having been revised by the Government either on appeal on behalf of the prisoners or on notice by the Government?

A.—(a) & (b) The Government have no information.

(c) The Government have no information, but they have called for it.

(d) The Government have revised the classification in about 176 cases.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"With reference to clause (d) of the question requiring instances of the classification ordered by the Magistrates, the answer given is 'the Government have revised the classification in about 176 cases'. Will the hon. the Law Member be pleased to lay on the table the names of prisoners in whose cases classification has been changed?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Does my hon. Friend want that information with reference to all the 176 cases?"

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"I want only instances of classification of cases in addition to the number."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Yes, that is exactly what I want to know from my hon. Friend. Does my hon. Friend want to know the names of the individuals in all the 176 case in which Government have interfered or only in some selected cases out of the 176?"

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I know whether the 176 cases do not include the names of the most respected members of this Council, namely, Mr. Bikkana Venkataratnam and some presidents of taluk boards and chairmen of municipal councils, in whose cases classification has been changed by Government?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Yes, Sir."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I know whether the Government are convinced that the discretion of the Collectors was right in classifying those people as they did?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"In some cases, Government thought that the Collectors were right and in other cases, where the Government thought that the Collectors were wrong, they interfered."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"Did the Government circularise all the Collectors to exercise their discretion properly in future cases?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"According to the orders of the Government of India, Collectors are required to use their discretion and that order has been communicated to all the District Magistrates."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I know whether the Government are convinced that, in the case of Mr. Bikkana Venkataratnam, the Collector exercised his discretion properly?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I do not remember that particular case."

Mr. C. R. PARTHASARATHI AYYANGAR :—"Is the hon. Member aware of the fact that certain orders of District Magistrates were set aside in two cases by the orders of the High Court, especially as regards the wearing of caps?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Oh, yes, I am aware of it."

Mr. T. S. RAMASWAMI AYYAR :—"May I know whether there is any difference in the diet between the different classes of prisoners?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I have no objection to answer that question, but I do not know how that question arises out of this. There is of course difference between the diet that is supplied to this class of prisoners and others."

Mr. T. S. RAMASWAMI AYYAR :—"May I know whether 'C' class prisoners are provided with buttermilk?"

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The hon Diwan Bahadur SIR M. KRISHNAN NAYAR :—" As an experiment a thousand prisoners in the Alipuram jail, on the recommendation of the Inspector-General of Prisons, are being given buttermilk instead of split dhal and Government are now watching the result of that experiment."

Mr. SAMI VENKATACHALAM CHETTI :—" Experiment to test what theory. Sir ?"

The hon. Diwan Bahadur SIR M. KRISHNAN NAYAR :—" Experiment to see whether this supply of buttermilk adds to or reduces the weight of the prisoners."

Mr. T. C. SRINIVASA AYYANGAR :—" May I know from the hon. the Law Member whether he is aware of the fact that buttermilk is an indispensable item of diet for all Indians ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I am aware that is an ordinary item of diet of some Indians, and I am also aware that it is not an indispensable item in the diet of all Indians."

Mr. T. SUNDARA RAO NAYUDU :—" Are 'C' class prisoners given oil for bath ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Women are given oil for their hair."

Mr. SAMI VENKATACHALAM CHETTI :—" May I know for how long has this experiment been in force ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Notice, Sir."

Mr. T. S. RAMASWAMI AYYAR :—" May I know whether it has been brought to the notice of the hon. Member that cases of dysentery among 'C' class prisoners is due to the non-supply of buttermilk ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" No, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR :—" May I know from the hon. Law Member whether 'C' class prisoners are persons who in the opinion of the Government are fit subjects to be experimented upon ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" My hon. Friend is thoroughly mistaken in thinking that there is any distinction between one class of 'C' class prisoners and another class of 'C' class prisoners. Neither the Government nor the Jail authorities make any distinction between 'C' class prisoners themselves."

Khan Sahib SYED TAJUDIN SAHIB Bahadur :—" May I know whether the Government are aware that buttermilk is very conducive to health, that it is advocated by all medical authorities not only in India but also all over the world and that it promotes longevity as well ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I am very sorry, that I am not a medical expert."

Mr. C. R. PARTHASARATHI AYYANGAR :—" Has the Government given effect to the orders of the High Court in every case other than those appealed against ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I do not find anything about it in this question."

Visits of non-official visitors to jails.

*19 Q.—Mr. SAMI VENKATACHALAM CHETTI: Will the hon the Law Member be pleased to state—

(a) the number of visits made by the non-official visitors to each of the District and Central Jails from March to October 1930;

(b) the recommendations made or impressions recorded by them; and

(c) the action taken by the Government in respect of such recommendations?

A.—(a) & (b) The Government have no information.

(c) The attention of the hon. Member is invited to rules 27 and 28 of the Madras Jail Manual. The Government are addressed only when the Jail authorities are not competent to take action on any particular recommendation.

Mr. A. RANGANATHA MUDALIYAR:—"Is it a fact that visitors to jails should wear a particular dress?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"There is no such rule."

Mr. A. RANGANATHA MUDALIYAR:—"For example, about Gandhi caps, are non-official visitors to jails allowed to wear Gandhi caps?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"It is left to the visitors to wear whatever dress they please."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know whether the Government have asked non-official visitors to persuade political prisoners to apologise?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"No; discretion is left to the non-official visitors to jails to give such advice as is permitted by the Jail Manual."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know if they have been doing so?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Government are not aware of the advice given by them."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know whether non-official visitors have been instructed orally or in writing to persuade some of the prisoners to apologise and save the country from discredit?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"No, Sir."

The number of persons convicted for political offences.

*20 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Law Member be pleased to state—

(a) the number of prisoners convicted of political offences up to date and the number now in the various jails of the Presidency;

(b) how many of them were placed in each of the classes A, B and C;

(c) how many of the said political prisoners are females and how many males;

(d) what was the offence for which the females were convicted and in which jails these female prisoners are placed;

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(e) the number of political prisoners that have been released up to date and the reasons on which they have been released; and

(f) the number of cases in which the husbands are in one class and their wives in a different class and the reasons for the difference?

A.—(a) & (b) The hon. Member is referred to the answer to clauses (a) and (c) of question No. 18. On 6th September 1930, there were 3,719 prisoners convicted of political offences, of whom 60 were in 'A' class and 393 in 'B' class.

(c) to (f) The Government have no information.

Mr. T. C. Srinivasa Ayyangar:—"May I know whether the hon. Law Member has considered the effect of the judgment of the High Court in the matter relating to Gandhi cap in Guntur, and whether the matter has been examined and whether the Government have considered some of the points that have arisen in that connection in other cases and what the results have been?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"The same point has not arisen in any other case: so there was no occasion for the Government to examine the question."

Mr. S. N. Dorai Raja:—"May I know whether lady prisoners are allowed to wear bangles?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"Notice, Sir."

Mr. S. N. Dorai Raja:—"May I know if the hon. Law Member is aware that some of the lady prisoners have sent their bangles to one of the Swarajists in Madras telling them that they are women and that ladies are men?"

The hon Diwan Bahadur Sir M. Krishnan Nayar:—"That is a matter entirely between the women prisoners and the Swarajists."

Number of persons convicted for political offences.

*21 Q.—Mr. A. B. Shetty: Will the hon. the Law Member be pleased to state—

(a) the number of persons convicted in each district this year up to the end of last month for political offences; and

(b) the number of persons put in A, B and C classes respectively among the political convicts in each district?

A.—(a) & (b) The hon. Member is referred to the answers to clauses 11-30
(a) and (c) of question No. 18 and clauses (a) and (b) of question a.m.
No. 20.

Mr. A. B. Shetty:—"May I know whether the Government will call for the information asked for in the question?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"That is what I have stated in the answer to question No. 18. And if my Friend wants further information, I shall consider his suggestion."

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Separate kitchens for political prisoners.

*22 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state in how many of the Central jails separate kitchens have been provided for political prisoners?

A.—The hon. Member is referred to rule 348 of the Madras Jail Manual.

Police

Instructions to the District officials to deal with civil disobedience movement.

* 23 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state—

(a) whether any orders or instructions, written or verbal, have been issued either by the Government or by the Inspector-General of Police, to the Collectors of districts or the District Superintendents of Police not to arrest and prosecute and fill the jails with volunteers who disobey the law; if so, what are the said instructions;

(b) whether any assurance, official or demi-official, written or verbal, had been issued to the officers of Government that any actions which they may be doing in putting down civil disobedience would be condone by Government, or that the Government would be supporting them; if so, what are the assurances or orders; and

(c) what are the orders and instructions, written or otherwise, issued to the District Collectors and Superintendents of Police regarding how they should combat civil disobedience movement; and by whom were they issued?

A.—(a) No such orders have been issued.

(b) The hon. Member probably has in mind [a] G.O. No. 766 (S-14) Public (General), dated 23rd June 1930, a copy of which is attached.

(c) The instructions are confidential and it would not be in the public interest to disclose the purport of them.

Mr. U. C. SUBRAHMANYA BHATT:—"Sir, the answer to clause (a) of the question is 'No such orders have been issued'. May I know whether any instructions were issued, and if so, may I know what those instructions are?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"It is obvious from the answer to clause (c). The instructions are confidential."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know what are the several ways in which they are going to support their officers?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"There are no special ways."

Mr. C. R. PARTHASARATHI AYYANGAR:—"May I know whether the Government have come across till now any case in which their orders have been exceeded by their officers? And may I know whether any police man has been brought to book for that?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"As far as I remember, there has been no such case."

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[a] Printed as Appendix I on page 174 infra.

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Alleged lathi charges made by the Police on civil disobedience volunteers.

* 24 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state—

(*a*) under what provision of law lathi beatings or charges are made by the Police in the several parts of the Presidency; and

(*b*) how many lathi charges have been made by the Police on civil disobedience volunteers in this Presidency within the last six months, and what are the place, date and the number of the wounded and dead in each of the said charges?

A.—(*a*) The attention of the hon. Member is invited to sections 127 and 128 of the Code of Criminal Procedure.

(*b*) The Government have no exact information, and as no serious injuries were inflicted by lathis, consider that no useful purpose would be served by calling for the particulars suggested.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the Government have any information as to whether any Catholic woman died of injuries received in the course of lathi charge at Mangalore?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I don't remember; Notice."

Mr. K. P. RAMAN MENON:—"In answer to clause (*b*) of the question, it is stated that no serious injuries were inflicted by lathis. May I know whether Government do not consider the death of a Roman Catholic woman as a serious injury?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I think the hon. Member may answer it himself. (Laughter.)"

Mr. K. P. RAMAN MENON:—"Will the Government call for information as to how many persons died as a result of lathi charge?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"The suggestion of the hon. Member will be considered."

Mr. A. RANGANATHA MUDALIYAR:—"It is stated in the answer to clause (*b*) that no serious injuries were inflicted. Sir, is it or is it not a fact that in one place, Bhimavaram, very serious injuries were inflicted on some volunteers and it was brought to the notice of the Subdivisional Magistrate of that place?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"No, Sir, as far as I remember."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Is it not a fact, Sir, that, under sections 127 and 128 of the Code of Criminal Procedure, the Police are authorized to use force only after the meeting becomes disorderly and is declared an unlawful assembly; and if so, may I know what were the steps that were taken by the authorities before lathi charges were made?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"In every case orders were given prohibiting meeting, and if it took place, in spite of the order, then orders were issued to disperse the crowd, and if the people still refused to go away, then lathi charges were made."

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Diwan Bahadur R. N. Arogyaswami Mudaliyar:—"May I know whether Government are aware that in every case assemblies of people were declared unlawful, and if so, may I know by what method was it declared unlawful?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"Government are satisfied that on account of the unruly nature of the assemblies the Police had declared them unlawful before using force."

Rao Bahadur C. S. Ratnasabhapati Mudaliyar:—"In answer to clause (b), it is stated that no serious injuries were inflicted. May I know whether the seriousness or otherwise of the injuries is to be decided by the persons who inflicted them or by those who received them?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"The Government are the best judge to decide that."

Mr. Abdul Hameed Khan:—"May I know what exactly is meant by the phrase 'serious injury'?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"It is determined by the extent and the nature of the injury one receives."

Mr. U. C. Subrahmanya Bhatt:—"May I know whether it has been brought to the notice of Government that solitary volunteers picketing in front of toddy shops have been beaten mercilessly?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"The Government have no information."

Mr. V. M. Ramaswami Mudaliyar:—"May I know whether the Government will be pleased to call for a report in every case of lathi charge?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"The suggestion will receive due attention."

Mr. C. R. Parthasarathi Ayyangar:—"May I know whether the Superintendent of Police has absolute power to do anything he pleases within his jurisdiction?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"The Government are absolutely confident that only reasonable orders will be passed."

Mr. U. C. Subrahmanya Bhatt:—"Are the orders that they pass within the four corners of the law?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"I am absolutely certain of that."

Instructions issued by the Inspector-General of Police to deal with Civil Disobedience Movement.

* 25 Q.—Mr. U. C. Subrahmanya Bhatt: Will the hon. the Home Member be pleased to state whether any or all of the instructions regarding the methods to be adopted in the districts for putting down civil disobedience were issued by the Inspector-General of Police; if so, what are the said instructions, and under what authority were the instructions issued by him?

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A.—The Inspector-General of Police by virtue of his office has a definite responsibility with regard to the maintenance of law and order and it may be presumed that the special conditions created by the civil disobedience movement involved the issue by him from time to time of particular instructions to his district officers. The Government have not received, however, copies of any such instructions, nor do they propose to call for them.

His Excellency the Governor's visit to St. Aloysius College, Mangalore.

*26 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state—

(*a*) with reference to Mr. J. A. Saldanha's statement in the *Madras Mail*, dated 25th October 1930, whether it is a fact that before His Excellency the Governor's visit, a high district official had informed the Rector of the St. Aloysius College that Gandhi caps would not be tolerated during His Excellency's visit to that College;

(*b*) if not, whether any other instructions were given by that official as to the use of Gandhi caps, and if so, what were the said instructions, and by whom they were issued;

(*c*) whether the wearing of Gandhi caps has been declared to be illegal; and on what authority the said instructions were issued by the said officer to prevent students from wearing Gandhi caps; and

(*d*) whether any students were prevented by the Police from entering the gates of the compound of the St. Aloysius College on the said occasion for having worn Gandhi caps, and if so, under whose instructions they were stopped from entering the College premises?

A.—(*a*), (*b*) & (*d*) The Government have no information.

(*c*) No.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know why Government have not called for information in spite of the fact of their having received a petition from certain students of the College?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"As far as I am aware, no petitions have been received."

Khan Sahib SYED TAJUDIN SAHIB Bahadur:—"May I take it that the hon. the Home Member will now call for the information?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I do not think it is necessary."

Alleged lathi charge on some students of St. Aloysius College, Mangalore.

*27 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state—

(*a*) whether any lathi charge was ordered on the students of St. Aloysius College, Mangalore, wearing Gandhi caps, and whether they were beaten with lathis, and if so, under what circumstances and for what reasons;

(*b*) if any lathi charge was made, whether it was after the Governor had passed the students or before? If it was after, what was the occasion;

(*c*) whether any students were injured by the lathi charges, and if so, what is their number, and what is the nature of the wounds; and

(*d*) what action the Government have taken or propose to take in the circumstances?

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A.—(a), (b) & (c) Certain students were dispersed by the Police in order to prevent a breach of the peace, but none sustained serious injury. The Government have no information whether lathis were used.

(d) None.

Mr. U. C. SUBRAHMANYA BHATT :—" May I know who that official is that asked the students not to wear Gandhi caps ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" No official issued any such order."

Mr. C. R. PARTHASARATHI AYYANGAR :—" What were the acts committed by the students for the Police to interfere ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :— " Certain students went out of the College and wanted to become riotous ? "

Mr. C. R. PARTHASARATHI AYYANGAR :—" What is meant by 'riotous'? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :— " Causing trouble."

Mr. C. R. PARTHASARATHI AYYANGAR :—" What trouble ? Trouble to whom ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :— " Breach of the peace."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—" Am I to understand that Government have received no report in the matter ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :— " As far as I remember, I don't think any report has been received."

Mr. C. R. PARTHASARATHI AYYANGAR :—" Will the hon. the Home Member call for information at least now ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :— " There is no necessity for it now."

Number of Sub-Inspectors of Police in South Kanara.

*28 Q.—Mr. A. B. SHETTY : Will the hon. the Home Member be pleased to state the number of Sub-Inspectors of Police in South Kanara and the communities to which they belong ?

A.—The sanctioned number is thirty. The Government have no information as to which communities they belong.

Mr. A. B. SHETTY :—" Will Government get the information with regard to the second part of their answer ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I shall consider the suggestion, Sir."

[For further list of Starred questions, vide page 132 infru.]

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UNSTARRED QUESTIONS

Co-operative Societies

The circular of Mr. Ramdas to the Co-operative Societies.

29 Q.—Mr. C. R. Parthasarathi Ayyangar: Will the hon. the Minister for Public Works be pleased to state why the circular of Mr. Ramdas to the co-operative societies was prohibited?

A.—The hon. Member presumably refers to Mr. Ramdas' appeal in the Press to co-operative societies to embark on an intensive propaganda for the promotion of the production and sale of khaddar and swadeshi cloth. The reasons for the Government's attitude in the matter have been explained in the Press Communiqué issued by Government on 20th June 1930.

Forest Panchayats

Alleged abrogation of some forest panchayats in Kurnool district.

30 Q.—Mr. K. Koti Reddi: Will the hon. the Member for Revenue be pleased to state what the reasons are which induced the Government to abrogate some forest panchayats in Kurnool district?

A.—The Government have taken no action of the kind indicated by the hon. Member. A report has been called for.

Floods

Damage caused by floods in the Tanjore district.

31 Q.—Mr. A. P. L. N. V. Nadimuthu Pillai: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether he has been informed by the local authorities of the Tanjore district about the serious damages caused in that district by the recent rains and heavy floods;

(*b*) what is the extent of the damage and what are the urgent measures that are proposed to be taken by the Government to bring relief to the people in the flood-affected area;

(*c*) whether he has called for a detailed report of the damage and suggestions of relief from the District Collector, Tanjore; and

(*d*) whether the district authorities have done anything up to now towards the said relief, and if so, what?

A.—(*a*) Yes.

(*b*) *to* (*d*) The hon. Member is referred to the answers given to questions Nos. 12, 13, and 14.

Irrigation

The Kanchalamma Tank Project in Cuddapah district.

32 Q.—Mr. K. Koti Reddi: Will the hon. the Member for Revenue be pleased to state in what stage the investigation of the Kanchalamma Tank Project of Cuddapah district is and what steps the Government propose to take for executing the project?

A.—The plans and estimates for the restoration of the tank are under the consideration of the Chief Engineer for Irrigation. The question of the execution of the project will be considered when the estimates are submitted to Government.

Investigation of the failure of freshes in the river Palar.

33 *Q.*—Mr. V. M. Ramaswami Mudaliyar: Will the hon. the Member for Revenue be pleased to state—

(*a*) in what stage the question of the investigation of the failure of freshes in the river Palar (North Arcot and Chingleput districts) stands; and

(*b*) whether the Government have moved in the matter of making representations to the Mysore Government on this subject, and if so, with what result?

A.—(*a*) The preliminary investigation is nearly completed. It has involved the compilation of statistics for a period of 30 years.

(*b*) Yes. It is reported that tanks in Mysore which breached in 1903 have been restored to their original capacity, but that no new tanks have been constructed, that extension of irrigation in Mysore have been trifling, and that the rainfall during the last 10 years has diminished by 12 to 13 per cent in the Palar basin in Mysore.

Loans

Recovery of amounts advanced to agriculturists in Chittoor and North Arcot districts.

34 *Q.*—Mr. C. R. Parthasarathi Ayyangar: Will the hon. the Member for Revenue be pleased to lay on the table a statement showing—

(*a*) the amounts advanced to agriculturists in Chittoor and North Arcot districts under the Agriculturists (Improvements) Loans Act for the three years ending with 30th September 1930;

(*b*) the amounts ordered to be summarily recovered under the two following reasons:—

(1) as the works were not completed within the stipulated time; and

(2) as the amounts of the loans were misapplied by the works not being done at all?

A.—(*a*) & (*b*) The Government have called for the information.

[For further list of Unstarred questions, vide page 138 infra.]

STARRED QUESTIONS—*cont.*

Education

Scale of pay in the Subordinate Educational Service.

* 35 *Q.*—Mr. T. S. Ramaswami Ayyar:—Will the hon. the Minister for Education and Excise be pleased to state whether the Government have considered the question of increasing the pay of the Assistant Professors or Assistant Lecturers in the Subordinate Educational Service in the Government Colleges?

A.—Yes. A selection grade on Rs. 250—10—300 for 5 per cent of the cadre has been sanctioned with effect from the 1st April 1929.

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Mr. T. S. Ramaswami Ayyar :—" What is the percentage of promotion to the higher grade in the case of Assistant Professors? Are they given opportunities to rise to the selection grade in the service."

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" I am not able to understand the supplementary question. If the hon. Member means the rate of promotion to the selection grade, the percentage is 5 per cent."

Mr. T. S. Ramaswami Ayyar :—" What is the percentage of promotion from this grade to the higher service ? "

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" Notice."

Excise

Functions of the Abkari Advisory Committees.

*36 Q.—Mr. J. A. Davis : Will the hon. the Minister for Education and Excise be pleased to state whether the functions of the Abkari Advisory Committee are restricted to the one matter of the approval or change of sites for liquor shops ?

A.—The answer is in the negative. The hon. Member's attention is invited to rules 12 to 14 of the rules for the constitution of, and the conduct of business by, the Excise Advisory Committees published at pages 1262-63 of Part II of the *Fort St. George Gazette*, dated the 6th September 1927.

Effect of Temperance Propaganda on Excise Revenue.

*37 Q.—Mr. K. P. V. S Muhammad Meera Ravuttar : Will the hon. the Minister for Education and Excise be pleased to state how far the propaganda has affected the Excise revenue of the Government in the districts in which this propaganda is carried on ?

A.—The Temperance Propaganda Scheme has been in operation only since the latter part of the year 1929 and it is too early to estimate its effect on the Excise revenue.

Mr. V. M. Ramaswami Mudaliyar :—" May I know whether it is a fact, Sir, that the Excise revenue has increased in spite of the Temperance Propaganda ? "

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" I do not think so."

Mr. M. A. Manikkavelu Nayakar :—" Will the hon. the Minister state whether they are going to continue Temperance Propaganda ? "

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" It has not been settled yet. It is under consideration."

Mr. M. A. Manikkavelu Nayakar :—" May I know when it will be settled ? "

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" I cannot say exactly, when."

Khan Bahadur MAHMUD SCHAMNAD SAHIB :—" May I know whether the matter of continuing it is being considered now ? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Yes. When I say that the matter is under consideration, it means it is under the consideration of the Government whether they should continue it or not."

Veterinary

Rinderpest epidemic in South Kanara.

*38 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Public Works be pleased to state—

(a) whether Government are aware that rinderpest of a virulent type is now raging round about Mudabidri and other places in South Kanara ;

(b) whether serum-simultaneous injections are being given for combating this epidemic ; and if so,

(c) how many cattle have so far been given injections ; and

(d) what steps are being taken to control this epidemic and prevent its spread to other places?

A—(a) The Director of Veterinary Services received a report from the District Veterinary officer, Calicut, that rinderpest was prevalent in and around Mudabidri and asked for the supply of anti-rinderpest serum sufficient to inoculate thousand animals ;

(b) to (d) Yes. Since the beginning of this month, the District Veterinary Officer, Calicut, has been supplied with 15,000 doses of serum. Larger supplies could not be arranged as the total quantity indented for from the Muktesar Institute had not been received. In September last, the Director indented for 140,000 doses but was supplied only 100,000 doses.

No information is available as to how much of the 15,000 doses supplied to the District Veterinary Officer are intended for inoculating the cattle in Mudabidri and the villages around it.

Mr. A. B. SHETTY :—" Is the hon. Minister aware of the fact that, due to want of sufficient stock of serum, the work of injection has not been carried satisfactorily in the affected area ? "

The hon. Mr P. T. RAJAN :—" The reply to the supplementary question is contained in the answer to clauses (b) to (d)."

Mr. A. B. SHETTY :—" May I know how Government propose to get the required supply of serum for carrying on effectively the work of injection in the affected areas ? "

The hon. Mr. P. T. RAJAN :—" The question of opening a serum institution in this Presidency itself is engaging the attention of the Government."

Mr. A. B. SHETTY :—" May I know whether Government will take prompt measures to control the epidemic in South Kanara ? "

The hon. Mr. P. T. RAJAN :—" They are already doing that."

Mr. U. C. SUBRAHMANYA BHATT :—" May I know how many cattle have died in rinderpest in South Kanara ? "

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The hon. Mr. P. T. Rajan :—" I will call for the information."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" Is the existing staff sufficient to cope with the situation ? "

The hon. Mr. P. T. Rajan :—" Notice."

Medical

The Headquarters Hospital, Ootacamund.

* 39 Q.—Mr. J. A. Davis: Will the hon. the Minister for Local Self-Government be pleased to state —

(*a*) whether the present accommodation in the Headquarters Hospital, Ootacamund, is insufficient to meet the growing needs of the station ;

(*b*) whether the Surgeon-General has submitted proposals for the erection of a suitable hospital on an adequately large site ;

(*c*) whether, pending the disposal of the Surgeon-General's recommendations, he has suspended all necessary extensions ;

(*d*) in view of the above, whether the Government will suspend the erection of the ward for chronic and incurable diseases which is to be erected in the vicinity of the present hospital buildings ; and

(*e*) whether the hospital authorities have reported that there is no space for the erection of a diphtheria ward in the hospital compound and that such patients are to be housed in a temporary hut ?

A.—(*a*) The Ootacamund Hospital has accommodation for 65 in-patients (34 for men and 31 for women). The daily average of attendance of in-patients during the last three years was as shown below :—

1927	41·90
1928	54·57
1929	60·32

(*b*) & (*c*) One of the suggestions made by the Surgeon-General in June last was the construction of the hospital on a new site, but this proposal was deferred. The Surgeon-General was of the opinion that the improvements to the Ootacamund hospital were not so urgent as to take precedence of other major schemes. In view of the magnitude of their commitments [a] to these and the existing financial stringency, Government can hold out little hope of undertaking the Ootacamund improvements at an early date.

(*d*) the Government see no reason for suspending the construction of the ward.

(*e*) The Government have no information.

Mr. J. A Davis :—" Will the hon. the Minister take into consideration the circumstances that, if the headquarters hospital is eventually shifted to a more suitable site, another ward for chronic and incurable cases will

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[a] Commitments :—Balance on 31st March 1931—

	LAKHS.
General Hospital, Madras	28·59
Combined administrative block for General Hospital and Pathological Institute for the Medical College	10·07
Headquarters Hospital, Madura	14·23
Do. Ellore	4·86
Medical School and buildings, Guntur	3·38

have to be built in proximity to the new site and that the ward now sanctioned will be of no use as such? Further there is the question of the site for the ward being acquired on land that is very valuable. Taking all these circumstances into consideration, will not the hon. the Chief Minister again look into the matter?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU :—"The position is this. There was a proposal to acquire a certain site for the purposes of the new hospital. That was dropped because there was objection from the neighbouring residents. Subsequently the Surgeon-General made two proposals, i.e., (*a*) erecting the building on a new site altogether; and (*b*) to improve the buildings that already exist so as to make them better. The first proposal has been for the present deferred. So far as the improvement of the present building is concerned, the Surgeon-General has submitted proposals and it is proposed to construct a ward for infectious diseases this year within the hospital itself. Ultimately the question of removing the hospital to another site may have to be considered. Till then the improvement now proposed will have to be given effect to."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I know whether the figure representing the attendance is during the season time or during all the year round?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU :—"It is the average attendance."

Jails

Female political prisoners in Vellore Jail.

11-45 a.m. *40 *Q.*—Mr. A. B. SHETTY : Will the hon. the Law Member be pleased to state—

(*a*) the number of A, B and C class women political prisoners in Vellore Jail;

(*b*) whether any representations have been made to the Government regarding their treatment and, if so, when and by whom; and

(*c*) what steps have been taken to remedy the grievances complained of?

A.—(*a*) The Government have no information;

(*b*) & (*c*) A representation was made by certain A class prisoners in the Central Jail, Vellore, that female prisoners should not be placed in C class and that female prisoners of the C class were not supplied with oil for the hair or washing materials. The criteria for classification of prisoners laid down by the Government of India do not contemplate any special classification of female prisoners. Female prisoners of the C class are being supplied with oil and washing materials.

Mr. A. B. SHETTY :—"With regard to (*a*), the answer is 'Government have no information'. May I know whether there are any difficulties in getting the information required?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I don't think there is any great difficulty."

Mr. T. C. SRINIVASA AYYANGAR :—"Will the hon. the Law Member call for the information with a view to allay the public feeling on the matter?"

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The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I shall consider my friend's suggestion."

Mr. T. C. SRINIVASA AYYANGAR :—" Arising out of the answer to clause (*b*), may I suggest to the Government the desirability of examining the cases of the various female prisoners with reference to reclassifying them? The answer that is given is only a technical answer, i.e., that female prisoners as such are not entitled to special classification?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I am sorry, Sir, that I cannot give any hope to my friend, because the rules relating to this subject matter, which have been laid down by the Government of India, leave no option to the Local Government to make any distinction between one class of C class prisoners and another."

Mr. T. C. SRINIVASA AYYANGAR :—" I am afraid the answer to clause (*b*) is that there cannot be a higher classification merely because the prisoners are females. That is the answer. May I suggest that the question of reclassifying some of the prisoners, or at least in particular cases, may be considered by examining the merits of the cases so as to allay the public feeling in the matter?"

The hon Diwan Bahadur Sir M. KRISHNAN NAYAR :—" With reference to that, the criterion for placing any prisoner, whether male or female, in any of these three clauses, A, B and C, is entirely the standard of living to which the particular prisoner was accustomed. That is the test, and the Local Government have no option whatever to apply any other test."

Mr. C. R. PARTHASARATHI AYYANGAR :—" Who gives the information as to the standard of living of prisoners?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" The Magistrates that convict the particular prisoner, male or female."

Mr. C. R. PARTHASARATHI AYYANGAR :—" Where does he get the information from?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" At the time of trial in court, he gets the information."

Mrs. ALAMELU MANGATHAYARAMMAL (in Tamil) :—" It no doubt appears from the answer given here that separate kinds of treatment are given to the different classes of prisoners, A, B and C. But, in view of the fact that such articles as oil and washing materials are quite indispensable to women, is it not possible for the Government to order their supply to the female prisoners?"

The hon Diwan Bahadur Sir M. KRISHNAN NAYAR :—" If I understood the question of my lady friend correctly, the answer is there already on the paper. It is stated therein that oil is supplied to the female prisoners. I understood my friend to ask me whether oil could not be supplied. The answer is that oil is being supplied."

Mr. A. B. SHETTY :—" May I know whether all the grievances brought to the notice of the Government in the representations made to them have been met or redressed?"

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The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"The answer given is complete."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I know if the hon. the Law Member will be pleased to have the chivalry to classify all the 'C' class lady prisoners under class 'B'?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I am afraid I have no option whatever to be chivalrous in a matter like this. I wish I could."

UNSTARRED QUESTIONS—cont.

Deputy Collectors

Appointment of Mr. Tamzuddin as the Revenue Divisional Officer of Tiruvannamalai.

*41 Q.—Mr. C. R. PARTHASARATHI AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Revenue Divisional Officer, Tiruvannamalai division, is a native and pattadar of Adayur village in Tiruvannamalai taluk;

(b) whether there is a rule that persons owning property in a division should not be appointed executive officers of the same division; and

(c) what were the exceptional circumstances necessitating the appointment of Mr. Tamzuddin as the Revenue Divisional Officer of Tiruvannamalai?

A.—(a) The Government have no information whether or not Khan Bahadur Muhammad Tamzuddin Quadiri Sahib, Revenue Divisional Officer, Tiruvannamalai division, North Arcot district, is a native of Adayur village. So far as they are aware, he does not own land in that village or in that district.

(b) There is no such rule. The attention of the hon. Member, however, is invited to Local ruling (6) under Rule 11 and local ruling 8 (b) under Rule 10 of the Government Servants' Conduct Rules, a copy of which is in the Council Library.

(c) There were no exceptional circumstances.

General

Alleged orders regarding wearing of khaddar, caps or dress.

42 Q.—Mr. C. R. PARTHASARATHI AYYANGAR: Will the hon. the Member for Revenue be pleased to state whether the Government will be pleased to explain why the wearing of khaddar caps and dress by Government servants or private individuals was prohibited and why such people were illtreated and insulted?

A.—No such prohibition has been made by the Government. On 20th June 1930 the District Magistrate of Guntur in the interests of the public place passed an order under section 144, Criminal Procedure Code, prohibiting the wearing of Gandhi caps within the limits of the Guntur Municipality and within a radius of 5 miles thereof. This order has since been set aside by the High Court. So far as the Government are aware, no other order affecting the wearing of khaddar caps or dress has been passed by any Magistrate.

Irrigation

North Bank Canal Scheme in Trichinopoly district.

43 Q.—Mr. K. SINGAM AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that Government had provided one lakh of rupees for the carrying out of the works in the North Bank Canal scheme (Trichinopoly district) this year and sanctioned a special division for this purpose;

(*b*) whether the said special division has since been abolished and, if so, why; and

(*c*) whether any arrangements have been made to further up the work during this year?

A.—(*a*) Yes; but the special division was sanctioned for the *investigation* of this and other schemes, not for execution.

(*b*) Yes, as the investigation for which the division was sanctioned has been completed.

(*c*) The estimates are under the consideration of Government and they hope to issue orders shortly.

High level channel in Trichinopoly district.

44 Q.—Mr. K. SINGAM AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) in what stage the construction of the bed regulator and the high level channel, Trichinopoly district, is; and

(*b*) if the estimates are ready for the scheme, whether the Government propose to put the work on hand and, if so, when?

A.—(*a*) & (*b*) The construction estimates of the scheme are under the consideration of the Government; the revenue estimates are awaited from the Board of Revenue; on receipt of them, the Government will examine the whole scheme.

Loans

Rate of interest on loans to cultivators.

45 Q.—Mr. C. R. PARTHASARATHI AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that loans to cultivators under the Agriculturists' (Improvement) Loans Act will bear interest at 7½ per cent per annum from the 1st April 1931; and

(*b*) what are the circumstances which have necessitated the increase in the rate of interest?

A.—(*a*) Loans granted on and after the 1st April 1931 under the Agriculturists' Loans Act and the Land Improvement Loans Act will bear interest at 7½ per cent per annum.

(*b*) The items of expenditure and loss incurred by the Government in connexion with the grant and recovery of loans have been stated in detail in paragraph 2 of G.O No. 422, Finance, dated 1st June 1929, which has been made available to the Press. It has been shown there that the rate of interest

charged on advances to cultivators should generally be $1\frac{1}{4}$ per cent above the Government's borrowing rate. With effect from the 1st April 1920, the rate of interest charged on advances to cultivators was fixed at $6\frac{1}{4}$ per cent per annum with reference to the Government's borrowing rate for 1928–29, viz., 5 per cent.

Although it was announced in the Government Order above referred to that the reduced rate of interest of $6\frac{1}{4}$ per cent on advances to cultivators would be in force only so long as the rate of interest on advances from the Provincial Loans Fund was 5 per cent, and although the latter rate was increased to $5\frac{1}{2}$ per cent with effect from 1929–30, the Government decided, as a very special concession, to continue to charge the reduced rate of $6\frac{1}{4}$ per cent on advances to cultivators during the year 1st April 1930 to 31st March 1931. At the same time, however, they directed that it should be widely made known that this special concession applied only to advances made in 1930–31 and that it was most probable that the rate would have to be raised with effect from the 1st April 1931.

The Government of India having now decided that the standard rate of interest to be charged by the Provincial Loans Fund in respect of advances made to Provincial Governments in 1930–31 should be $6\frac{1}{4}$ per cent per annum, the Government have directed that the rate of interest charged on advances to be given to cultivators from 1st April 1931 should be fixed at $7\frac{1}{2}$ per cent per annum.

Minor Irrigation

Repairs to supply channel of Melakaruppur.

46 *Q.*—Mr. C. R. PARTHASARATHI AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether in 1917, the Collector of North Arcot or the Executive Engineer, Vellore, directed the ryots of Melakaruppur village in Tiruvannamalai taluk to deposit a sum of Rs. 600 towards the repairs of or the construction of a supply channel to their village tank;

(*b*) whether the deposit was made by the ryots accordingly, and if so,

(*c*) whether the deposit bears any interest and if so, what;

(*d*) whether the contemplated repairs have been executed and, if not, why not;

(*e*) who are responsible for the delay, if any, and what notice the Government propose to take of their action; and

(*f*) whether the Government will be pleased to issue instructions to carry them out as soon as possible?

A.—The Government have not the information, but have called for a report.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ADJOURNMENT MOTION *RE* FLOODS IN TANJORE AND TRICHINOPOLY DISTRICTS.

Mr. T. M. Narayanaswami Pillai :—" Mr. President, Sir, I rise to ask for the leave of the House to make a motion for discussing a definite matter of urgent public importance, namely,

> '*the damage caused to Tanjore and Trichinopoly districts by the recent rains and floods and the relief required in respect thereof*'."

* The hon. the President :—" I wish to know what the Government have to say on this matter."

* The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" I submit, Sir, that having regard to the full and exhaustive answer that my hon. Colleague, the Revenue Member, gave to the questions relating to the floods this morning and also the information that he gave by way of answers to the several supplementary questions that were put to him, there is no longer any urgency in regard to the matter.

" Another matter also I wish to mention to you, and that is this : As I understand, the Council sits only for this day and you have already fixed another adjournment motion to be discussed this afternoon from 4 o'clock. So, obviously this cannot be discussed to-day, and we do not sit to-morrow."

* The hon. the President :—" I do not think that any useful purpose will be served, in view of the several answers given by the Government and the report placed by the Government on the table of this House, by allowing this adjournment motion to be discussed at this stage. The subject matter of an adjournment motion under Rule 12 must be a definite matter of urgent public importance. It must also involve an administrative responsibility of the Government. A general discussion on the damage caused by the recent floods in the Trichinopoly and Tanjore districts and the relief measures both temporary and permanent required to alleviate the same, is not the sort of discussion contemplated by the rules regarding adjournment motions. The answers given to-day by the Government in reply to the questions of several hon. Members regarding the floods show the variety of suggestions that can be made for the relief of the flood-affected areas, and a discussion on this and various other suggestions that can be made, cannot be the proper subject-matter of a single adjournment motion. I hold therefore that the adjournment motion is not in order."

III.—ADJOURNMENT MOTION *RE* REFUSAL OF RAW RICE AND BUTTER-MILK TO 'C' CLASS PRISONERS.

* Mr. Sami Venkatachalam Chetti :—" Mr. President, Sir, under Standing Order No. 20, I beg to ask for leave to make a motion for the adjournment of the business of the Council to discuss a definite matter of urgent public importance, namely—

> '*the refusal of the Jail authorities at Madras to give raw rice and butter-milk to C class prisoners, particularly to those convicted in connexion with the civil disobedience movement.*'

" I may only add, Sir, that this adjournment motion is a result of the interpellations answered on the floor of this House just now."

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* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Sir, my Friend's adjournment motion runs in these terms: 'the refusal of the Jail authorities of Madras to give raw rice and butter-milk, etc., Under the rules that are now in force, the Jail authorities are not at liberty to give raw rice and butter-milk . . ."

Mr. SAMI VENKATACHALAM CHETTI:—" On a point of order, Sir, is the hon. the Law Member entitled to speak upon this motion? What he and the Government have got to do at present is only to object and keep quiet."

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am giving reasons for objecting to the motion. I wish my Friend were more patient. What I was saying was this, namely that the wording of this adjournment motion was 'the refusal of the Jail authorities of Madras to give raw rice and butter-milk to C class prisoners'. In other words, what my Friend wants is to move an adjournment motion because the Jail authorities of Madras obey the rules in the Jail Manual. There is certainly no urgency with reference to that matter. If my hon. Friend wants any rules to be changed, that is not an urgent matter. He ought to take other steps for that, but it cannot be the subject of an adjournment motion. So, I submit it is not urgent at all."

* The hon. the PRESIDENT:—" I think that, the Jail Rules having been passed very long ago, there have been opportunities of discussing this question before. As it is, the subject-matter of this motion cannot be regarded as an urgent matter of recent occurrence. I therefore think that the motion is not in order."

IV.—ELECTION OF DEPUTY PRESIDENT.

* The hon. the PRESIDENT:—" The next item in the agenda is the election of the Deputy President. Under Standing Order 3, sub-section (3), of the Madras Legislative Council, I have to read out to the Council the names of Members who have been duly nominated together with those of their proposers and seconders. I will now read out the names accordingly.

Member nominated.	Proposer.	Seconder.
(1) Rao Bahadur G. Jagannatha Raju.	Kumara Raja of Venkatagiri.	Raja of Bobbili.
	The hon. Diwan Bahadur B. Muniswami Nayudu.	The hon. Mr. P. T. Rajan.
	Mr. N. Siva Raj ..	Mr. W. P. A. Soundara Pandian.
	Mr. C. Basudev ..	Mr. D. V. Narasimhaswami.
(2) Mr. Abdul Hameed khan.	Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.	Mr. U. C. Subrahmanya Bhatt.
	Mr. T. C. Srinivasa Ayyangar.	Mr. Basheer Ahmad Sayeed.

" As more than one Member has been duly nominated, the Council will now proceed under Standing Order 3 (5) of the Legislative Council

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to elect a Deputy President by ballot. Each hon. Member who is desirous of voting may take a ballot paper from the Secretary and after recording his vote place it in one of the ballot boxes that are placed in the Council Chamber. Members on each bench may come at a time and receive the ballot papers."

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur:—" Is it by secret ballot or open ballot?"

* The hon. the President:—" It is a secret ballot. There are two cubicles placed on the eastern side, and the hon. Members may record their votes there."

The voting then proceeded and after it was over the hon. the President appointed Mr. Bayabani Sahib and Mr. Sundara Rao Nayudu as Tellers. 12 noon. Counting was done in the presence of the Tellers; hon. the President then made the following announcement.

* The hon. the President:—" Mr. Jagannadha Raju has secured 74 votes and Mr. Abdul Hameed Khan 39. I declare Mr. Jagannadha Raju duly elected as Deputy President of this Council."

V.—PANEL OF CHAIRMEN.

* The hon. the President:—" I have to announce to the House that under Rule 3 of the Madras Legislative Council Rules, I have nominated the following four members to be a Panel of Chairmen for this session:

Mr. Basheer Ahmed Sayeed.
Mr. F. E. James.
Mr. Badeti Venkataramayya.
Mr. T. S. Ramaswami Ayyar.

VI.—A BILL TO PROVIDE FOR THE CONTROL OF TRAFFIC IN GOVERNMENT ROADS.

The hon. Mr. P. T. Rajan:—" Mr. President, with your permission I beg to move:

'*That the name of Sriman M. G. Patnaik Mahasayo be added to the list of Members of the Select Committee appointed to consider the Bill to provide for the Control of Traffic in Government Roads (Bill No. 11 of 1930).*' "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" I second it."

The motion was put and carried.

The hon. the President:—" I nominate Mr. F. E. James as Chairman of the Select Committee on the Road Traffic Bill."

The House then rose to meet again at 3-50 p.m.

(After Lunch 3-55 p.m.)

The House re-assembled at 3-55 p.m.

IV.—ELECTION OF DEPUTY PRESIDENT—*cont*

* The hon. the PRESIDENT:—"I have to announce that His Excellency the Governor has approved of the election of Mr. G. Jagannadha Raju for the Deputy Presidentship of this House."

VII.—THE MADRAS SERVICES COMMISSION BILL.

* The hon. the PRESIDENT:—"I appoint Mr. G. Jagannadha Raju as Chairman of the Select Committee on the Madras Services Commission Bill."

VIII.—ANNOUNCEMENT *RE* ELECTION OF MEMBERS TO THE HOUSE COMMITTEE.

* The hon. the PRESIDENT:—"Although as many as nine candidates were nominated to the House Committee at first, yet all but the following candidates have withdrawn their candidature. The continuing candidates are:

1. Diwan Bahadur M. GOPALASWAMI MUDALIYAR.
2. Rao Bahadur T. SUNDARA RAO NAYUDU.
3. Mr. C. SATYANARAYANA CHOUDARI.
4. Mr. AHMED MIRAN SAHIB.
5. Mrs. K. ALAMELUMANGATHAYARAMMAL.
6. Mr. P. C. MUTHU CHETTIYAR.

"As the number of continuing candidates is equal to the number of vacancies to be filled, namely, six, I hereby declare them duly elected.

"In addition to the above, I nominate, under Standing Order No. 84, Mr. F. E. James and Mr. W. P. A. Soundara Pandiyan to be Members of the House Committee.

"The Deputy President will be *ex officio* Chairman of the Committee."

IX.—ANNOUNCEMENT *RE* ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE.

* The hon. the PRESIDENT:—"Although as many as seventeen candidates were nominated to the Public Accounts Committee at first, yet all but the following candidates have withdrawn their candidature. The continuing candidates are:

1. Mr. BASHEER AHMED SAYEED.
2. Mr. F. E. JAMES.
3. Mr. R. MADANAGOPAL NAYUDU.
4. Mr. D. V. NARASIMHASWAMI.
5. Mr. V. P. NARAYANAN NAMBIYAR.
6. Mr. P. V. RAJAGOPALA PILLAI.
7. Mr. M. S. SRESHTA.

"As the number of continuing candidates is equal to the number of vacancies to be filled, namely, seven, I hereby declare them duly elected."

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to elect a Deputy President by ballot. Each hon. Member who is desirous of voting may take a ballot paper from the Secretary and after recording his vote place it in one of the ballot boxes that are placed in the Council Chamber. Members on each bench may come at a time and receive the ballot papers."

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Mr. T. S. RAMASWAMI AYYAR.

VI.—A BILL TO PROVIDE FOR THE CONTROL OF TRAFFIC IN GOVERNMENT ROADS.

The hon. Mr. P. T. RAJAN:—"Mr. President, with your permission I beg to move:

'*That the name of Sriman M. G. Patnaik Mahasayo be added to the list of Members of the Select Committee appointed to consider the Bill to provide for the Control of Traffic in Government Roads* (*Bill No.* 11 *of* 1930)."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it."

The motion was put and carried.

The hon. the PRESIDENT:—"I nominate Mr. F. E. James as Chairman of the Select Committee on the Road Traffic Bill."

The House then rose to meet again at 3-50 p.m.

(After Lunch 3-55 p.m.)

The House re-assembled at 3-55 p.m.

IV.—ELECTION OF DEPUTY PRESIDENT—*cont*

* The hon. the PRESIDENT:—"I have to announce that His Excellency the Governor has approved of the election of Mr. G. Jagannadha Raju for the Deputy Presidentship of this House."

VII.—THE MADRAS SERVICES COMMISSION BILL.

* The hon. the PRESIDENT:—"I appoint Mr. G. Jagannadha Raju as Chairman of the Select Committee on the Madras Services Commission Bill."

VIII.—ANNOUNCEMENT *RE* ELECTION OF MEMBERS TO THE HOUSE COMMITTEE.

* The hon. the PRESIDENT:—"Although as many as nine candidates were nominated to the House Committee at first, yet all but the following candidates have withdrawn their candidature. The continuing candidates are:

1. Diwan Bahadur M. GOPALASWAMI MUDALIYAR.
2. Rao Bahadur T. SUNDARA RAO NAYUDU.
3. Mr. C. SATYANARAYANA CHOUDARI.
4. Mr. AHMED MIRAN SAHIB.
5. Mrs. K. ALAMELUMANGATHAYARAMMAL.
6. Mr. P. C. MUTHU CHETTIYAR.

"As the number of continuing candidates is equal to the number of vacancies to be filled, namely, six, I hereby declare them duly elected.

"In addition to the above, I nominate, under Standing Order No. 84, Mr. F. E. James and Mr. W. P. A. Soundara Pandiyan to be Members of the House Committee.

"The Deputy President will be *ex officio* Chairman of the Committee."

IX.—ANNOUNCEMENT *RE* ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE.

* The hon. the PRESIDENT:—"Although as many as seventeen candidates were nominated to the Public Accounts Committee at first, yet all but the following candidates have withdrawn their candidature. The continuing candidates are:

1. Mr. BASHEER AHMED SAYEED.
2. Mr. F. E. JAMES.
3. Mr. R. MADANAGOPAL NAYUDU.
4. Mr. D. V. NARASIMHASWAMI.
5. Mr. V. P. NARAYANAN NAMBIYAR.
6. Mr. P. V. RAJAGOPALA PILLAI.
7. Mr. M. S. SRESHTA.

"As the number of continuing candidates is equal to the number of vacancies to be filled, namely, seven, I hereby declare them duly elected."

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X.—ANNOUNCEMENT *RE* ELECTION OF MEMBERS TO THE FINANCE COMMITTEE.

* The hon. the PRESIDENT :—" Although as many as 28 candidates were nominated to the Finance Committee at first, yet all but the following candidates have withdrawn their candidature. The continuing candidates are :

1. Rao Bahadur S. ELLAPPA CHETTIYAR.
2. Mr. J. KUPPUSWAMI.
3. Khan Bahadur MAHAMUD SCHAMNAD SAHIB Bahadur.
4. Mr. T. M. NARAYANASWAMI PILLAI.
5. The RAJA OF BOBBILI.
6. The RAJA OF KALLIKOTE.
7. Mr. T. S. RAMASWAMI AYYAR.
8. Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR.

" As the number of continuing candidates is equal to the number of vacancies to be filled, namely, eight, I hereby declare them duly elected."

XI.—ANNOUNCEMENT *RE* ELECTIONS TO THE SENATE OF THE ANDHRA UNIVERSITY, ANNAMALAI UNIVERSITY, AND TO THE COURT OF THE INSTITUTE OF SCIENCE, BANGALORE.

* The hon. the PRESIDENT :—" I have to remind hon. Members that the elections to the Senates of the Andhra University and the Annamalai University and the election to the Court of the Institute of Science at Bangalore are to be held to-morrow between 12 noon and 3 p.m. The election will take place in the Secretary's room."

XII.—ADJOURNMENT MOTION *RE* USE OF FORCE BY THE POLICE IN DEALING WITH THE CIVIL DISOBEDIENCE MOVEMENT.

* Mr. SAMI VENKATACHALAM CHETTI :—" Mr. President, Sir, under Standing Order No. 20, I beg leave to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely—

> ' *the use of force by the Police in recent cases in dealing with the civil disobedience movement.*'

" Sir, in making this motion for adjournment, it is not to be apologetic when I say that this proposition would allow of very extreme language in discussing the details of the motion, and if in the course of my speech I should slip into any such extreme language I should very much like that hon. Members should put them down more as slips than as intended. Sir, if in spite of unceremonious and discourteous rejection of representations made by public men of this Presidency, by public bodies such as the Corporation of Madras and several other local municipalities and commercial bodies like the Southern India Chamber of Commerce and other Chambers, of course Indian, if their representations were unceremoniously ignored by the Government, and if in spite of them I make a venture to place the same matter before this House, it is to test the

prestige and the value the Government attach to the verdict of this House. Of late, Sir, Indian Executive Councillors of this Government are showing an inordinate tendency to disregard the Members of this House by their somewhat indifferent and vague answers. I can understand their recklessness, because while they were not in office they were perhaps not better treated than they are treating us now. But the hon. Executive Councillors who have parliamentary experience must rise above this petty satisfaction of giving answers, vague, and indefinite, and turning to their colleagues this side and that side for appreciation and approval. Sir, I challenge this Government to force this motion to a division and take the verdict of the House. So far as I am concerned, I shall admit that I was utterly wrong in condemning the action of the Government and the Police if the verdict of the House is against me. I know that attempts will be made, as has already been whispered, to talk out this motion. If the motion is talked out, let the Government know that they are not at all scoring a victory. But, on the other hand, those who fall into the trap of the Government are proving themselves unworthy of representing their constituencies.

" Sir, within a period of slightly over six months, the Police of this Presidency have covered themselves with indignity and demoralization that is unsurpassed under any civilized Government. By the recognition, both direct and indirect, by cash presents, by promises of promotions and what not, the Government have really been the promoters of lawlessness. The use of force has been the rule of the day. When we read the details of incidents which have taken place under the somewhat imposing name of keeping law and order, one is shocked, Sir, that he is living in the twentieth century. Our memories go back to our reading the conditions of anthropological studies, and find no comparison, Sir, between that aboriginal man and the present Government. Sir, His Excellency the Governor in his opening speech yesterday, as I think very advisedly used if I may venture to say so, language meaning that the Government will use all the resources in their power to suppress the civil disobedience movement. He perhaps prudently omitted to say 'all lawful resources', thereby implying that they will use all resources, whether legal or illegal, in suppressing the movement. Sir, not being one belonging to the civil disobedience movement, I do not feel that the Government will be right in dealing with the civil disobedience movement in the way it considers best. But, Sir, humanity requires, and the fair name of any Government requires, that even the most extreme movement directed against the Government ought to be treated in the manner in which a civilized Government would treat it. Sir, we have got a certain standard of morality even against our enemies. Is this the standard of morality that this Government is going to adopt in beating every man that passes by, not only those who are participating in the civil disobedience movement but all those who happen to go along the streets, not necessarily a satyagrahi but even for that matter one who is clad in khaddar or wears a Gandhi cap? Sir, starting from Masulipatam where more than a hundred persons were injured, this

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fiendish orgy of bludgeoning permeated all through the province. It stalked through Berhampur, Ellore, Guntur, Rajahmundry, Cocanada, Madura, Salem, Calicut, Palghat, Mangalore, Vedaranniyam, Bellary, Paiyyanur, Udipi, Vellore and Madras. If there is any town left, I hope hon. Members would remind me of it. Sir, I may also add that these lathi charges were not singular in use. They were here and there spiced or may I say gingered up by the use of fire-arms. Sir, Mr. Montague, the late Secretary of State for India, in his report on Reforms stated that whenever there was an use of fire-arms it must be followed up by a committee of enquiry being set up and their findings being published. In this particular instance, in dealing with the civil disobedience movement, it stands to the lasting discredit of this Government that repeated requests for appointing committees of enquiry, whether of Government officials alone or of officials and non-officials, have been totally rejected. It is because the Government have not the courage to face a committee of any sort.

" Sir, in Madras, the Police have excelled themselves. After putting Messrs. Prakasam and Nageswara Rao Pantulu in jail, they proceeded to beat the satyagrahi volunteers on the 25th of April last when my hon. Friend, the Home Member, was on the cool heights of Ootacamund. On one morning, Sir, when about twenty satyagrahis were marching to the sea-shore, presumably to manufacture contraband salt, they were surrounded by the Police large enough in numbers to take charge of each satyagrahi, under the immediate presence and distinguished patronage of Mr. Cunningham, the then Commissioner of Police. They were not only surrounded, but they were asked also to disperse. Evidently and admittedly, the satyagrahis refused to disperse. What is the duty of the Police then? The duty of the Police in any civilized country would be to take charge of the volunteers, bring them to book, produce them before the Court and if possible get convictions for them, and put them in jail. No, that ought not to be the rule! For, the answer is: ' Well, are we to provide jails for all these people who disobey laws? Is it a proposition that is practicable? ' That shows, Sir, that the whole population is against you. That is an argument, Sir, that the Government have failed in their duty and that they are no longer governing this province with the consent of the governed. Apart from that, if putting all those who disobey laws in the jail is not a practicable proposition, is it the alternative to beat them mercilessly and to leave the wounded uncared for? I should like to have a definite and direct answer to the question from the hon. the Home Member. I know he is secure in his seat; as an Executive Councillor his position cannot be shaken. But that is no reason for pursuing his present policy. One day or other he will have to come out and face the public. I know, to this the reply of the hon. the Home Member will be ' well, I know the people as well as you do. I thought this was the best thing to do.' However, Sir, that is not an answer which I am sure will come out of the same Sir Mahomed Usman once he leaves that position or once he is disappointed in his ambitions,

"Sir, to protest against this merciless beating of the Police, there was a monster meeting on the sands of the Madras beach organized by all parties. Of course, the Government might ridicule the idea of calling that meeting an all-party meeting. Probably, if they would accept a correction, may I say an all-Indian meeting, may I say an all-citizen meeting instead of all-party meeting? Because there were also non-Indians in the same meeting to sympathize with us. My hon. Friend, Diwan Bahadur B. Muniswami Nayudu, was one of the signatories to that meeting and one of the intended speakers at that meeting. He really sympathized that there should have been such merciless beating of the satyagrahis. If only it was possible for him to reach the platform, he would have been perhaps one of the speakers, and this would have eliminated his chances of being called on to interview His Excellency the Governor as a 'man of standing.' Whatever that may be, most of the Justice party members were sympathizers with the object of that meeting, and indeed my hon. Friend, Doctor Natesa Mudaliyar and the present President of the Corporation of Madras, Mr. P. T. Kumaraswami Chettiyar, and several others took part in the meeting and protested in serious yet temperate language against the Police excesses. But the gathering of such a large public on the sands to condemn even though in temperate language the action of the Police was very galling; it was an eye-sore to them, and they must establish a case that there has been lawnessness in the City. That is why the Commissioner of Police took stringent measures to put them down. Therefore, it is just possible that the meeting turned out to be a disorderly meeting. Sir, it may be said on behalf of the Police that the people assembled there had become a riotous assembly and that therefore the Commissioner of Police was perfectly right in dealing with the situation as he did. And if I may recall what was said in the Government communiqué on the matter, they did not compliment Mr. Cunningham for not using fire-arms earlier than he did but yet approved of Mr. Cunningham's action because he showed considerable restraint in not using fire-arms and used it when it became inevitably necessary.

"Sir, the moment we cross this bench and become Executive Councillors we do not cease to be citizens nor do we cease to be responsible to the people, because we occupied Opposition benches. It may be that to-morrow I may occupy that seat. Am I then to be considered irresponsible so long as I was on this side? I am as much responsible if not more responsible than Sir Mahomed Usman because I am an elected representative, and I say that the meeting was the most orderly meeting that was ever held by the citizens of Madras. There were no doubt large numbers of people crowding on the Marina road, but they were perfectly orderly and did not exhibit any acts of violence.

4-15 p.m. "Sir, to deal with situations of this kind, some tact is required and Mr. C. B. Cunningham is one who is endowed with a good deal of tact, but unfortunately it has disappeared ever since the civil disobedience movement began. Sir, a clash could have been easily avoided if only the Commissioner of Police had issued instructions to divert the traffic

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from the Senate House right up to the Ice House Road. But no, that ought not to be done. The telephone wire was all on a sudden cut away. This sentence was found added to the version of the Police towards the end. Evidently that was an afterthought. Now, Sir, if there was the telephone wire to bring the reserve Police from the Commissioner's office, I wonder how the telephone wire between the Presidency College and the sergeant who was perhaps on duty at the other end of the beach got cut away. Granting that this was the case, could not a sowar be sent to instruct the sergeant to divert the traffic? No, nothing should be done. The people must be taught a lesson. That was the idea.

" Sir, in the Police version of the incident there is an insinuation that the leaders abandoned the meeting the moment it became disorderly. There was nothing of the sort. I repudiate that insinuation. Sir, the facts are these: When we found that the Police were acting disorderly on the Marina road, we thought that the most prudent course would be to disperse the meeting. We carried the resolution of the meeting and showed the people assembled the route which they should take in order to avert a clash with the Police. But, no, the sowars must go down to the sands and chase people everywhere ' forwards and backwards.' These are the very words used in the communiqué. Now Sir, how can you expect people to go to their homes if they are chased ' backwards and forwards '? I would like that experiment to be tried on people who are in favour of it and see whether they could easily avoid coming into conflict with the Police. Sir, several people were injured and then there was an unfortunate death of one of the most promising advocates of this City and one of the most useful social workers, Mr. E. K. Govindaswami, B.A., B.L. That unfortunate young man happened to go to Triplicane, in order to see his wife and just as he was getting down from the lorry he got a shot. Well, Sir, afterwards a large number of people gathered there to justify the Commissioner ordering fire. But how did the shot get through the huge crowd without hitting anybody in the crowd and hit the poor man who was getting down from the lorry at the Bells road. If the Commissioner was justified in giving the order to fire, ought he not to have taken the ordinary precautions to see that the lorries did not come near the firing line? No, nothing should be done, because the people ought to be taught a lesson. That was the idea. Sir, in this connexion may I ask what is the grace which the Government have shown in regard to the advocates' meeting to sympathize and condole with the family of the victim Mr. E. K. Govindaswami? The advocates were given perhaps a deserved reply, in these circumstances by the Commissioner of Police that their meeting was ostensibly for the purpose of condoling the death of Mr. Govindaswami, thereby implying evidently that their real object was to condemn the Police action. That was the response which the advocates got at the hands of the Commissioner of Police. Not only in Madras but elsewhere also the Government seem to have abdicated their powers to the Police. I am not exaggerating the state of affairs, because this morning the hon. the Home Member conceded that so far as the question

of dealing with such situations is concerned the Government have given a blank cheque to the Inspector-General of Police. 'Whatever he does, we are confident', I suppose that was the wording used, 'we are confident that he would do perfectly well'. Well, if the Inspector-General of Police could be trusted to deal with these situations, I wonder what is the use of an Executive Councillor here. He seems to be a more trustworthy man than the Executive Councillor. I would rather appeal to him than to the Executive Councillor if he is going to say 'I have full confidence in the Inspector-General of Police'.

"Sir, the wearing of Gandhi caps and the carrying of national flags are an eye-sore to the police and not only to the police, but also to the magistracy. Caps were forcibly pulled from the heads of the wearers. There are several people who ordinarily wear such caps without attaching any political significance to it. Even those people were insulted. There is our friend Mr. Venkataratnam who was till to-day in jail having been released only this morning. He is in possession of a Gandhi cap. Such gentlemen are insulted by the Gandhi caps being pulled off their heads. I would like hon. Members to imagine what a person would feel when such an insulting treatment was meted out to him. Let the hon. the Home Member have the imagination to think of the enormity of the indignity offered to such gentlemen. Let him not merely speak as a megaphone machine. Let him realize the seriousness of the situation. Let him for one moment translate himself to these benches and find out what our feelings are in respect of this treatment. It is true that a lawless movement should be suppressed, but there is a civilized way of suppressing it. Supposing you take them to a court, put them all in jail and then begin to kill them. Will that be justified? Will it not be considered an atrocious act? Sir, even after the High Court has revised or set aside convictions for wearing Gandhi caps in Guntur and Rajahmundry, the Government are not moving in the matter. I suppose the Government are showing contempt to the judicial decisions of the High Court by not examining the cases of those who were convicted in similar circumstances. I know the explanation will be that the parties have not chosen to appeal and that therefore they cannot move in the matter. Well, Mr. President, you are aware that members of the civil disobedience movement have declined to defend themselves. That being the case, it is all the more reason why a humane Government, why a civilized Government, why a Government which has any claim to be responsible and responsive should examine the cases concerned. I know to some extent by association the irritation and the acerbity of feeling which the hon. Sir Krishnan Nayar felt when his friend Mr. Narayana Menon was not released at his instance. I should like to remind him of those feelings. Let him not stifle those noble sentiments because he is an Executive Council Member. Let him remember that Mr. Narayana Menon has the excellent qualities which he enumerated and so also let the hon. the Home Member remember that every one who has gone to jail in connexion with the civil disobedience movement is unselfish and prepared to sacrifice himself, his honour, his

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career and his prospects for the good of the country. Sir, whether they are misguided or well-guided, they are entitled to our respect. I would say more. They are not as selfish as we are. Therefore, there is every reason why their feelings ought to be respected.

"Young boys reading in the schools and colleges were mercilessly beaten by the police. The police, it seems, could enter any educational building or institution despite the protests of the heads thereof. In spite of the protests of the principals of the colleges, who are in most cases Europeans, the police entered those institutions and beat the boys. Now, conceive of our own children being beaten like that probably for some boyish freaks of theirs, like shouting Gandhi-Ki-Jai when His Excellency was passing their way. Now, Sir, boys are boys and even the hon. Sir Mahomed Usman was a boy once (laughter) and I daresay that it is the mischievous tendencies in the boyhood that develop into cleverness and intelligence in manhood. Sir Mahomed Usman is an intelligent and clever man and he must have been a mischievous boy (renewed laughter). Do you like, Sir, that all these boyish freaks should be put down with the bludgeon and with the lathi? Has any hon. Member sitting on those (Government) benches seen the size of a lathi and the thickness of it? Has any one of them seen a lathi being used? Have any one of us submitted himself to a lathi charge? Sir, apart from the deservedness of this form of punishment, there is what is called self-respect in man. Sir, I appeal to Europeans in this matter. I know that they do not attach any importance to the policemen beating the people into submission in order to suppress this movement and are taking the thing coolly. I humbly submit therefore that if that is the real conviction of Europeans—I think differently having read of their character as portrayed in books to some extent—but if that is really their conviction, I must respectfully say that our ideas of personal respect and their ideas of personal respect disagree. That may be perhaps one salutary difference between our civilization and their civilization, and forms part of our national trait. In this respect therefore, perhaps India has got to teach a lot to England. Sir, this is a matter between Indians and Indians. Therefore in deference to the feelings of Indians who feel very strongly in matters of this kind, Europeans ought to desist from further irritating their feelings. I challenge any European member here to induce any Indian in this House to speak in favour of the position they are taking. The general feeling prevalent among all Indians is the same. They need not therefore think that they would be supporting the Opposition if they keep quiet and do not wedge in between our feelings and our condemnation of the lathi charge by the police.

"Sir, young boys have been sent to Borstal School for periods of two years and four years. The Government have not cared to look into these cases. In one case the Sessions Judge of Nellore has refused to convict little boys. I may say in this connexion, Sir, that in general and on the whole, European judges and European magistrates have shown far more fairness in dealing with cases of this

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kind than the Indians themselves because the Indians are there to exploit British administration in order to aggrandize their own status and position in the official world. That is the reason. I do not want that that reason should prevail in the case of the hon. the Home Member, because he has reached the pinnacle of the position. He has nothing more to aspire for (a Voice: 'Question.') except the goodwill of the people with whom he has got to live. Sir, Justice Bardswell characterized certain proceedings of a subordinate magistrate as 'horribly summary'. Is a stronger condemnation than this required? Sir, there are hundreds of cases now in our land which are equally horribly summarily dealt with. So, Sir, the responsibility of the hon. the Home Member is very great indeed and I hope that before he lays down the reins of office as Executive Councillor of this Government he would lay claim to a certificate and a testimonial that he stood by us in times of need.

4-30 p.m. "I know it may be said that, while our capacity for self-government and our capacity to administer law and order is at stake. I am proving a case that an Indian was able to control law and order by merely dotting the i's and dashing the t's, i.e., by merely approving the action of the police. That is not the way for the establishment of one's capacity for self-government. I know we may feel complacent in our capacity for self-government and in our capacity for preservation of law and order, because we had been simply registering the decrees of our subordinate heads of departments. But I daresay that is not the way to judge our capacity at all. I know English people have a different notion of our capacity for self-government and our responsibility. They are far more shrewd than we seem to think of them. They would like to know whether you are able to say 'no' face to face. If they understand that you are able to argue with them, then they respect you; otherwise they kick you. If they feel that you are able to hold your own, then they come to compromise. I know of an Englishman, a shrewd observer, who respects one that has the courage to face him, one who argues with him and not one who simply submits himself to the notes put up by heads of departments. As a matter of fact, the European might pride over an Indian if the latter does not collapse and capitulate, when he is put in power, to all the dictums of his subordinates, but rises above and begins to take an independent view. I have not the slightest doubt that if this motion is pressed to a division,—I hope the hon. the Home Member will not burke it—it will induce not only the official and nominated Members to vote with me, but also my hon. Friend, Mr. Muniswami Nayudu, and his party men. I know my Friend, Mr. Muniswami Nayudu. I am not a stronger nationalist than he. If unfortunately he cannot speak with the same feelings as I am doing, it is not because he has no idea of the atrocities committed by the police as I do. As a matter of fact, in some of the speeches he delivered during the time of elections, he condemned very strongly this repressive policy of the Government in most unmistakable

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terms and I have no doubt that, consistently with what he said and what he is going to say, he will realize what our feelings are in the matter and induce his party men also to help us in recording our opinion of the situation. There is no danger that the Government is going to accept our verdict. We have had enough of experience of this Government to judge if our verdict is going to have any influence. I am not exaggerating when I say that this Government has got a particular tendency and a particular cleverness of mismanaging and making a muddle. Mr. Montagu, again, the late Secretary of State for India, in his Indian Diary, which has come out only very recently, in writing of Madras has got this very significant sentence:—

> 'Here, if anywhere, the officials administer and do not govern; here, if anywhere, they refuse to explain themselves and hold themselves aloof; here, if anywhere, they misuse their powers of the Press Act or their powers to disallow resolutions.'

"What an apposite description of the existing state of affairs of this Government in their having declined to allow some days for the discussion of non-official business! Of course, they say that it has not been found possible to allot a non-official day. We know that it has not been found possible, but what was the reason for not giving a non-official day, nobody knows. Without a single exception I leave all the testimony given by the late Secretary of State for the Government's consumption. It is for you to say—I daresay that you will agree with Mr. Montagu—whether you are not acting according to the dictums laid down by him.

"One word about the nominated Members. I hope the traditional suspicion that nominated Members will always go in with the Government will be dispelled on this occasion. I know for instance that editors like Mr. Ganala Ramamurthi and Mr. Pinjala Subrahmanyam Chetti are nominated Members of this Council. They have written in Telugu in very strong language about the repressive policy pursued by the police. I do not know if they are now going to lay down the ethics of journalism by saying that what might be written by them as editors in the newspapers is different from their personal opinions. Probably they will be setting a good example by not voting with the Government, thereby illustrating that what was written in the newspapers is not different from their personal opinions. Therefore I do want hon. Members to record their real personal feeling in this matter.

"Sir, even nominated Members were not left alone. For instance, I do not know if my hon. Friend, Mr. Dorai Raja, will excuse me when I say that the police shadowed him also (laughter), probably to get nomination for him. Because one Chinna Dorai wrote some article in the *Spectator* suggesting that an Indian should be appointed Viceroy; that was enough to make the Government think that Peria Dorai Raja also was talking of sedition—because the Government probably thought Peria Dorai Raja was the brother of Chinna Dorai

as the word 'Dorai' occurs in both the words and that he was connected with the seditious movement!!! (Laughter). I wish my hon. Friend should contradict me if I am wrong. That has been the policy pursued by the police. I do not know, if perhaps one Muslim gentleman, whose name may be Syed Usman, were to write some seditious article or make some seditious speeches, whether my hon. Friend, Sir Mahomed Usman, would be mistaken for Syed Usman and found guilty for being seditious and also shadowed by the police (laughter), because there happens to be some identity in the two names.

"Sir, I beg that this motion should be pressed to a division. I hope I have not been intemperate in my language in condemning the action of the police (laughter). If I did, I did not do it consciously."

* Rao Bahadur Dr. C. NATESA MUDALIYAR:—"Mr. President, I have very great pleasure in seconding this resolution so ably moved by my hon. Friend from Madras. Sir, there is a strong feeling in the country that the police are using excessive force in dealing with unarmed non-violent civil resisters. No doubt, the law allows force to be used in cases of violent resisters, force meaning minimum force. Those that resist the law here are people who are non-violent and they freely submit themselves to whatever the authorities may ask them to do. If they are so ordered they march to the police station and if they are punished they undergo punishments willingly. I do not know why minimum force should not be used in these cases. Minimum force does not mean super-maximum force. Even in places under martial law the Indian Military Law says:

> 'His Majesty's Government have emphatically laid it down that the primary factor of policy whenever, unfortunately, a situation necessitates the suppression of civil disorder by military force within the British Empire is the use of minimum amount of force necessary to secure the object in view.'

"Sir, are we under His Majesty's Government? I believe in the British connexion. I believe in the British Government. I have been a constitutionalist for over 20 years. I believe in India being a self-respecting Member of the British Commonwealth. Sir, after such repressive measures even staunch loyalists are nodding. When repression of this sort is going on, one is tempted to think 'Is this the British Government under which we are living?' The most heart-rending thing is the way in which our women are treated. Sir, let it be understood that the most sacred portion of our Indian homes is our womanhood. No nation respects women as we do. We cannot bear any insult offered to our women. Moreover, Sir, when people are lathi-charged for offences, where is the personal liberty? Sir, here I beg to quote a few lines from Dicey on personal liberty:—

> 'The right to personal liberty as understood in England means in substance a person's right not to be subjected to imprisonment, arrest, or other physical coercion in any manner that does not admit of legal justification.'

"The sort of coercion followed in our country does not admit, according to Dicey, of legal justification. Lawlessness of this sort is not new to our country alone. There are free people of a free country.

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Have we not known how English people have struggled to raise their country to her present position? England of to-day is built on such sacrifices of the ancestors of the present generation. Moreover Indians ought to be treated with much consideration. We Indians are not aboriginal tribes. We are an ancient nation whose civilization was carried into ancient Babylon and Egypt and to the courts of ancient Greece and Rome. Let all our European friends make it a common cause with us to put down this kind of repression. If a man resists, it is open to the police to carry him bodily, as our discreet and tactful Commissioner, Mr. Rowlandson did in Madras. I am at a loss to understand why the same policy has not been pursued in the districts also. Lawlessness is not new to my country alone. It exists in all civilized countries. To quote Dicey again:

'Within the last thirty years, however, there has grown up in England, and indeed in many other civilized countries, a new doctrine as to lawlessness. This novel phenomenon, which perplexes moralists and statesmen is that large classes of otherwise respectable persons now hold the belief and act on the conviction that it is not only allowable but even highly praiseworthy to break the law of the land if the law-breaker is pursuing some end which to him or to her seems to be just and desirable. This view is not confined to any one class. Many of the English clergy (a class of men well entitled to respect) have themselves shown no great hesitation in thwarting and breaking laws which they held to be opposed to the Church. Passive resisters do not scruple to resist taxes imposed for some object which they condemn. Conscientious objectors are doing a good deal to render ineffective the vaccination laws. The militant suffragettes glorify lawlessness; the nobleness of their aim justifies in their eyes the hopeless and perverse illegality the means by which they hope to obtain votes for women . . .'

'Democratic sentiment, further, if not democratic principle, demands that law should on the whole correspond with public opinion; but when a large body of citizens not only are opposed to some law but question the moral right of the State to impose or maintain a given law, our honest democrat feels deeply perplexed how to act . . .'

'The time has come when the fact ought to be generally admitted that the amount of government, that is of coercion, of individuals or classes by the State, which is necessary to the welfare or even to the existence of a civilized community, cannot permanently co-exist with the effective belief that deference to public opinion is in all cases the sole or the necessary basis of a democracy.'

"So, Sir, it is not a new thing to our country also. I do not belong to the creed of my hon. Friend, Mr. Sami Venkatachalam Chetti. He was a Swarajist and now a Nationalist. But I am a loyalist, a constitutionalist, a Justicite. Even I feel that the Government are doing what they ought not to do. Sir, every precaution should be taken before firing on a crowd. Sir, in that miserable case in Triplicane, when the late Mr. Govindaswami Mudaliyar, a promising advocate and a loyalist of loyalists, who attended as a scout on His Excellency on many an occasion, came to see his wife in Triplicane and was just getting down from the bus, he was shot to the effects of which he subsequently succumbed. What was his dying declaration? When his relatives approached me and asked whether they could not file a suit in a court of law for damages against the Government, I said 'Don't do that'.

"I said I am a loyalist; Government is a very good one. Approach the Government and they will give you relief immediately. They did so. What was the reply of the Government? A negative one. 4-45 p.m.

Sir, at least in that case, should they not take compassion upon the members of the family when a promising man was shot dead, though accidentally? He has got almost a child-wife of about 20 years of age. Should not the Government give her some compensation? Here again, Sir, I wish to quote from *Dicey*:

'In England the idea of legal equality or of the universal subjection of all classes to one law administered by the ordinary courts has been pushed to its utmost limit. With us every official from the Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done without legal justification as any other citizen. The reports abound with cases in which officials have been brought before the courts and made, in their personal capacity, liable to punishment or to the payment of damages for acts done in their official character but in excess of their lawful authority.'

"That child-wife may go to a court of law. Of course, we are glad we have a very good High Court in this Presidency. There justice is done; I hope that at least through the High Court, she will get relief. Moreover, if the police take the law into their own hands, what is the use of the magistracy? In this Council I agitated for the separation of police from judicial portfolio. I pleaded that a prosecutor should not be a punisher. I am glad that these portfolios are now held by two different Indian Members in the Cabinet. I thought they would be counteracting forces. I never expected that one would be submerged in the other. In the Cabinet there are five Indian Members and two seasoned Civilians. These are the remnants of the old sympathetic Civilians, Cardews and Moirs, who were very well acquainted with Indian conditions and aspirations. These are the two remnants of those noble bands of Europeans. We want that these hon. Members should join the five Indian Members of the Cabinet and see that repression is not resorted to as far as our moderate Madras Presidency is concerned."

* The hon. the PRESIDENT:—"The question before the House is that the business of the Council be adjourned for the purpose of discussing a definite matter of urgent public importance, namely, the use of force by the police in recent cases in dealing with the Civil Disobedience movement."

Pandit GANALA RAMAMURTI, in opposing the motion, spoke in Telugu. The following is the translation of the same:—

"Mr. President, Sir, please permit me to say a few words in opposing this motion. I am fully aware of the fact that I may lose popularity if I oppose the motion. I am not a man disposed to obtain easy popularity by emotional and irresponsible speeches. It has been the sad aspect of my life from its beginning. My hon. Friend, Mr. Sami Venkatachalam Chetti, mentioned nominated Members in general and my name in particular. Sir, may I tell my esteemed friend, the Member for this metropolitan city, that I ceased my connexion with the journal *Samadarsini* about a year ago? My friend and colleague Rao Sahib Pinjala Subrahmanyam Chetti, is only the proprietor but not the leader writer of the journal. Nominated Members also are as much patriots as my learned friend Mr. Sami Venkatachalam Chetti. Sir, they are not johukumwallahs. They also are demanding swaraj

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under the British flag. But their methods are different from those of non-co-operators. Nominated Members cannot and will not adopt unconstitutional and impracticable methods to win swaraj. By this, they may not get the false praise of newspapers or the shouts from galleries. Nominated Members cannot act against the dictates of their conscience.

"Mr. Venkatachalam Chetti spoke at length about the hon. the Home Member and the hon. the Law Member. If the mover of this adjournment motion is also appointed as a Member to the Treasury Bench, his speech, I am sure, would be different. Under the able administration of His Excelllency the Governor the hon. the Home Member and the hon. the Law Member, this Presidency is peacefully marching towards progress. I am glad to say that the administration of the hon. Sir Mahomed Usman Sahib Bahadur as Home Member is praiseworthy when compared with the administration of Home Members in other provinces. May I tell my hon. Friend, the mover of the motion, that, by the impartial and sympathetic policy of the hon. the Home Member, the so-called Hindu-Moslem problem has disappeared from this province entirely.

"Mr. President, satyagrahis are courting prison life with the idea of attaining popularity. To attain this they are holding public demonstrations. It is but natural that police should disperse such mob meetings for the maintenance of law and order. My friend Mr. Venkatachalam Chetti says that the creed of satyagrahis is non-violence. Permit me to tell you, Sir, my experience regarding this. M.R.Ry. Diwan Bahadur Duriseti Seshagiri Rao Pantulu Garu started a new political organization called the People's party to counteract the civil disobedience movement in East Godavari district. In an open meeting at Peddapur under the auspices of the Congress Mr. Gadepalli Suryanarayana Sarma and other satyagrahis abused the organizers of the People's party and the Justice party as a whole in vulgar terms. The popular Collector of the district, Mr. J. B. Brown, I.C.S., and the Deputy Collector of the locality, Mr. Varada Venkataramayya Nayudu were threatened and asked to resign their offices and wear glass bangles for their association with the bureaucratic administration. Sir, is it not violence? Is it not the bounden duty of the Government to protect also its loyal and law-abiding people?

"I respect Mahatma Gandhi's pure and simple individuality. His philosophical ideals are praiseworthy. I also respect the patriotism of the political prisoners. But let me submit to you, Sir, that Mahatma Gandhi's plan for swaraj is only utopian but can never be put into practice. I also worked with him for the political uplift of the country as long as his programme was confined to the boycott of Councils, courts, colleges and titles. When he introduced non-payment of taxes in his programme in January 1922, I washed my hands of that agitation as the promised period of one year for getting swaraj lapsed. No country in the world has obtained its independence through non-co-operation and civil disobedience. It is true America established complete independence by open rebellion with arms but this method would not

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suit Indian conditions. As Australia did, constitutional agitation alone should be adopted by Indians for their attainment of colonial freedom. I expressed this not only in my editorial articles of *Godavari Patrika* of 1919 but also in my editorial articles of *Nyaya Deepika* of 1922 and 1923 and I respectfully ask my friend Mr. Sami to once again refer to them.

"Boycott of Councils is one of the items of Mahatma Gandhi's programme. Srimati Sarojini Nayudu abused the Councils thoroughly. Pandit Malaviyaji denounced that those who paid his fine were not his friends but his foes. In view of the above facts I do not see the consistency of the arguments advanced by my learned Friend, Mr. Venkatachalam Chetti in this Council. Mahatma Gandhi's programme even in South Africa was not fulfilled. Without considering the *pros* and *cons* of the method, the youth of the country are embracing it and involving themselves in troubles like sheep attacking the mountain. We all know how British tactics crushed the mighty German force."

Mr. C. SATYANARAYANA CHOUDARI:—"On a point of order, Sir, I believe that we are now confining ourselves to the point whether the force used by the Police in the past was justified or not. May I ask whether the scope of the proposition is such as to admit of a discussion about the benefits of the British rule?"

Mr. V. T. ARASU:—"Sir, according to the Standing Order I understand that an hon. Member can speak only for 15 minutes. I think the hon. Member has spoken for more than 15 minutes."

The hon. the PRESIDENT:—"The hon. Member has taken only 7 minutes."

Pandit Ganala Ramamurti continued his speech in Telugu:—

"Will such methods as those adopted by the non-co-operators shake the British Empire? If Gandhiji started his campaign after the termination of the Round Table Conference, there would be some meaning. The country will not be benefited by vain sacrifice.

"The present struggle has increased the post-war troubles. It is causing immense harm to backward and neglected communities. Business is collapsing entirely. Export of our raw materials was stopped and thus a stoppage has come for the free flow of money. Majority communities and educated classes are trying to elevate their own position by severing their connexion with Britain. It is not the intention of the caste Hindus to uplift the status of the depressed classes. I am speaking from my experience. Even though I worked hard for the promotion of the Congress ideas in 1919, 1920 and 1921 I was not taken into the confidence of the privileged classes and offered even at least a seat in any firka Congress Committee. For the pride of false prestige only the nation is yet following the so-called non-co-operation movement. I wish that the day may soon come to realize the evils of this movement. I am expressing these sentiments not as a member of the Viswakarma community but on my personal behalf. I know that His Holiness Tatvananda Swamulavaru, Mr. Cherukury Kalahastiswara

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Sarma and several others of my community have courted Sri Krishna Janmasthanam (prison). I warn the members of my community not to join Gandhi movement as the country is not ripe for complete independence. Communal jealousy is yet in existence. A member of my community was not allowed to perform *sandhya vandanam* at Amaravati which is on the banks of the river Kistna. In some villages of Guntur district our people are not allowed to go in procession in palanquins on marriage and other ceremonial occasions even in this 20th century. This is the treatment which is being accorded to a community which built temples and other monuments and moulded the civilization of the nation. Without setting right all these drawbacks, Mahatmaji wants immediate complete independence. In this connection I am reminded of a line from *Bhagavata*

"· · · · · ·కాననివాని నూఁతగొని కాననివాఁడు విశిష్ట వస్తువుల్ కానని భంగి · · · · ·"

"Poet Bhartruhari observed that learned men are indifferent to bring the people into the right method. Aristocracy do not take proper interest in such affairs. Ordinary people are not competent to tackle such problems. Thus, virtuous propaganda is gradually disappearing from this eternal world. These golden lines are just applicable to the non-co-operation movement. May I appeal to the Government also in this connexion that, just as in Bombay, if Madras Government also start a counter propaganda to do away with the mischief-making of civil disobedience, then police interference is not at all necessary to tackle the situation? With these words, I beg to resume my seat."

* Rai Sahib C. KOLANDA REDDI:—"Mr. President, Sir, I come from a district, viz., Kistna, which tasted the sweets of lathi charges from the police to the very dregs. Yet I have a grievance against my hon. Friend, Mr. Sami Venkatachalam Chetti, because he did not mention the name of Kistna in the list he has furnished. Sir, the accounts of lathi charges I have received are so numerous and so insistent that the music of lathi play is still ringing in my ears.

"There is a saying that there is no cupboard without a skeleton. 5 p.m.
Similarly, I may say that there is no place which has participated in the civil disobedience movement but has tasted the music of lathi charges. Now, what is a lathi? Perhaps many of my hon. Friends here may not know it. They may simply mistake it for a mere stick; but it is not that. It is what you call a 'male stout bamboo' about a cubit long, shod at the end with iron or brass. And what do you think that the lathi charge is like? It is indiscriminate belabouring of both men and women and even children, or whomsoever that comes across. (Mr. Abdul Hameed Khan: Shame.) That is 'lathi charge,' Sir, and I wonder how sections 127 and 129 of the Criminal Procedure Code can cover a play like that. Fancy, Sir, that this indiscriminate belabouring is administered—to whom?—to persons either men or women, who do not retort, who do not retaliate, but who submit meekly and who are ready to go anywhere and who are ready to do whatever

you want them to do. I ask you, Sir, whether beating so mercilessly people like that does not savour of the savage or the brutal, or of the barbarous.

"Sir, yesterday His Excellency the Governor was pleased to observe that this civil disobedience movement—or call it what you will—will be suppressed by all the means at the command of the Government. All that I pray is: do it by all the means that the law permits. There is provision, there is remedy within the four corners of the Law; but for God's sake, and for the fair name of the Government, may I implore with all the ardour at my command, not to indulge in the lathi charge? This lathi charge, Sir, this repression by lathi play is an ill-wind which blows nobody any good. In fact, it creates resentment and sends the iron down to the bottom of the heart and keeps it rankling there. I put it to you that we ought to live—all of us, of all races and nationalities—like brothers and sons of the same God, bound by silken ties of love. But I wonder how when an atmosphere such as this is being created, it is possible for us to live like that.

"It is often trotted out as a plea that only minimum force is used. God alone knows what 'minimum' means. 'Minimum' and 'maximum' are relative terms, and what one calls 'minimum' the other may call 'maximum'. But there are cases which I am aware of, where the question of maximum or minimum does not arise at all. With your permission, Sir, I may quote one or two instances. There is a park in a town. Naturally in the evening hours, people resort to it in order to enjoy the cool breeze emanating from flowers and foliage. These people just idly inclining upon the velvety grass go on chatting aimlessly. All of a sudden, a posse of policemen equipped with lathis approach that park. The officers are stationed at the gate in order to prevent egress of the people, and these lathi-equipped policemen enter the park and belabour the people mercilessly for hours together. There is no way of escape for them except by scaling the spiked fencing of the park, and in their attempt to do so, some are impaled and others injured in various parts of the body. That is one instance. Another instance is: there is a village which is noted for its culture and refinement. One fine morning, it wakes up to find that it is surrounded by a posse of lathi-men. These people go on beating men, women or children, whatever and whoever comes in the way, mercilessly. Those who escape or take to their heels are not left alone; on the other hand, they are given chase to and the victims are beaten again and again. Thirdly, Sir, a poor member of the Bar, a legal practitioner, had to go to an outstation on professional business. A policeman just saw him and at once began to abuse and assault him and strip him almost naked for the mere sin of being clad in kadi. I have now cited these three cases, Sir, and you can yourself see whether the question of minimum or maximum force arises at all. These lathi charges are no less than wanton assaults on the people, with a view to create terror in their minds. You may call this a reign of terror. It is some consolation to find a silver lining to the sable cloud. So far as my district is concerned, it has a

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Collector who is a sympathetic and kindly soul. On account of him, many an ugly situation has been saved and people have been lucky to escape a worse fate; but unfortunately he cannot be expected to be present in all the places where the police people operate. Hence such tragedies now and again. With these words, Sir, I support the motion of Mr. Sami Venkatachalam Chettiyar."

* Mr. K. P. Raman Menon:—" Sir, speaking from this side of the House, I have great pleasure in supporting Mr. Sami Venkatachalam Chettiyar in the remarks that he has made on the floor of this House. With reference to my own district, I can say that we have escaped some mischief, learning, as I do, the history of the other districts from the speakers that preceded me. The satyagraha movement in Malabar took two forms, one with reference to the manufacture of salt and the other with reference to the picketing of arrack shops. As regards the manufacture of salt, on three days when work was started by the satyagrahis, the police, for no reason whatsoever, did charge the crowd mostly consisting of innocent spectators, so much so that the District Magistrate had to intervene later and to withdraw the police altogether. He after all thought that the absence of the policemen would naturally lead to a weakening of the movement—and he was quite right. There was manufacture of salt on the Calicut beach for about four or five days at the outset. After the first three days when there were lathi charges and crowds dispersed as stated above, the police were withdrawn altogether, and in another three or four more days, the movement fizzled out. That shows the wisdom and courage of the District Magistrate who ordered the withdrawal of the police altogether. The next centre where there was trouble on account of manufacture of salt was Payyanur. Payyanur is at some distance from my place and I believe my Friend opposite hailing from North Malabar may be able to give you further information with reference to what transpired there. For a long time, there was absolutely no trouble whatsoever with reference to the salt satyagraha in Calicut. Nobody manufactured contraband salt and there were no arrests. But a few days before His Excellency's visit to Malabar, it was quite patent that several individuals—I do not know who they were nor can I think of the particular individuals who were responsible for it—wanted to create an atmosphere of distrust and wanted to see that there was trouble when His Excellency visited the place. In the meantime, the persons who were responsible for the satyagraha movement had made it a point never to assemble in numbers more than four. They always took care, as only five people would constitute an unlawful assembly, to send volunteers to the beach to manufacture salt or to picket, or do other unlawful acts, only in batches of four. In one instance very near His Excellency's visit to Calicut, when four satyagraha volunteers went to the Calicut beach, they were set upon by the police—not by the inferior police but by the District Superintendent of Police himself. This is what happened on that occasion, and it should have been taken notice of by the Government. One of those volunteers fell down as the result of a blow on his head by a lathi, and he was kicked by the District Superintendent of

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Police. The matter took a serious turn and it was thought the volunteer was dead; he was removed in a car to the hospital and attended to there. Fortunately, he recovered. That was a flagrant case where, even when people were less than the number which would constitute an unlawful assembly and before they committed any offence, they were set upon by the police and assaulted. Probably they were going to commit an offence, but as a matter of fact, they were charged upon even when they had not committed the offence. On account of this incident it was thought by many people in Calicut that the police wanted to foster the idea that there might be trouble in Calicut and that therefore more force would have been used when His Excellency visited Calicut. Notwithstanding this, the District Magistrate kept his head cool.

" Then, Sir, there was a procession on Gandhi's birthday and it was sought to make out that as there would be an unlawful assembly, and that the procession should be stopped—for no reason. The District Magistrate was good enough to issue distinct orders that unless personally the Divisional Magistrate was convinced that the unruly elements in the crowd got the upper hand, there should be no attempt to disperse the procession as an unlawful assembly. And the Malabar Special Police, who had been summoned to Calicut from the interior places and the Reserve Police who had been called to Calicut had to go away disappointed, as there was absolutely no hitch and no untoward event happened at all with reference to that procession. The procession started from the Congress office near the new Market and from there went round the town and came back with absolutely no untoward incident. This was clearly due to the foresight of the District Magistrate who had already then distinctly laid down that unless the Divisional Magistrate thought that the unruly elements in the procession had the upper hand, nothing should be done; and, notwithstanding the presuasions of Police officers who were there, the Divisional Magistrate was strong enough to resist them and to say ' I have not yet seen anything unruly in the procession '.

" Again, Sir, I really cannot understand the fun of issuing orders just to create offences. That seems to be the rule nowadays. An order is issued on certain persons saying ' Don't assemble '—for what reason, God alone knows. Suppose they are going to hold a meeting to-morrow with reference to any particular subject, to-day a notice is issued on the persons who are to hold that meeting, saying ' Don't hold the meeting at all '.

5-15 p.m. " Sir, after the order is passed, when a meeting is held, it is certainly an unlawful meeting and law must be respected. I have great respect for law. I have been long in the profession of law and certainly I shall be the last person to say that the law should not be obeyed, but the authorities should not create offences. There was an instance in Calicut recently in which an offence was created. It may or it may not be true that ladies in Bombay were roughly handled by the Police. Whether the statement about it, which was contained in all the newspapers, is correct or not, at any rate, there is a feeling among certain

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people that those ladies were roughly handled. For this purpose, to record a protest against it, a meeting was proposed to be held by some ladies in Calicut to culminate in a procession later and a notice was circulated for that purpose. And straightaway an order was issued upon certain ladies asking them to desist from holding the proposed meeting. What is the intention of this notice? The authorities know very well that the meeting would be held. And, after all, who are these ladies who proposed to hold the meeting? One of them is a graduate of the Queen Mary's College, the daughter of the late Municipal Chairman of Calicut; another lady hailed from the Cochin State and another is a daughter of the late Rao Bahadur Kumaran Nayar, Sub-Judge, who served the Government loyally. Now, an order was served upon them not to hold the meeting. Next morning, the Magistrate, a level-headed man as he is, even on the morning of the day of the meeting asked the ladies not to hold the meeting. They said 'No.! we want to hold the meeting'. They said as a matter of fact the ladies of Bombay were handled roughly. Then the Magistrate said 'you are under arrest'. For this the ladies replied 'we are prepared to be arrested'. They were then escorted by the police and taken in a motor-car. Why, Sir, should such a position be created and why should such a senseless order be issued to these ladies? Is the British Government going to be subverted by half a dozen ladies of Calicut? I certainly think that is an insult to the Government to say that such a meeting would shake the foundations of the British Empire.

"Instances like these are not wanting. One thing is certain, that all these offences are created for the mere fun of locking up people in jails. Is it not farcical, I ask, to create offences like that? For the matter of that, I have myself noticed such things with reference to picketing of arrack shops. Picketing was going on near the Kallai bridge. On the head of the bridge, on the Calicut side, two or three policemen would be sitting and on the other side of the bridge two or three volunteers would be going and then they will just call these policemen and say 'well, Sir, why don't you arrest us'. The policemen will merely touch them and say 'you are under arrest' and then they take the volunteers away. Is the law not being reduced to an utter farce? If, as a matter of fact, you want to arrest people and to vindicate the majesty of the law, at least keep up appearances, but don't reduce it to this low level.

"Now, coming to lathi charges, I may say that Calicut also had experience of this in the early stages, but there has not been a recrudescence of the lathi charges since then. But, I may correct my hon. Friend from Bezwada about the description which he gave about the lathis. It is not a mere bamboo rod about a cubit or so long, but it has got two brass rings at both ends and a blow with a lathi if the ring in the lathi touches your head or any portion of the body, creates serious injury to the person that gets the blow. The lathi is certainly a very dangerous weapon. Of course, it is the good sense of the policemen and the ordinary constables that these lathis are not being more

freely used with more serious consequences at any rate in Calicut town.

"Then, Sir, I may join my hon. Friend, Mr. Sami Venkatachalam Chetti, in appealing to my European friends opposite and asking them, would an Englishman suffer like this at the hands of any other man, constable or no constable? An Englishman certainly can appreciate what people believe and feel. I have read enough of English history to know that Englishman will never allow himself to be buffetted, assaulted and kicked by anyone. They have sufficient self-respect to return blow for blow without looking to the consequences. So, I would ask my English friends in the Council to put themselves in the position of Indians and see whether they would allow themselves to be treated like this by policemen who have no regard for persons. This, Sir, is the position of affairs in which we are now. I may at the same time add, what is the use of all this kind of discussion here. The whole system of administration of India is going to be overhauled. There is the Round Table Conference that is sitting in London and it certainly will bring out something which will be tangible for us. There is also the message of His Majesty which is ringing in our ears. There is also the effect of the speeches delivered by our own representatives over there and the very sympathetic audience they have had there. It may be, as a matter of fact, for a few days or a few months we have to put up with this. I would, therefore, strongly suggest that there is no use raking up these old embers, if the Government would take care to see that there is no recrudescence of these evils and put a stop to the methods of the police in dealing with the movement.

"With these words, I would ask my hon. Friend Mr. Sami Venkatachalam Chetti not to press this motion to a division, not because that I am in any way insensible to the indignity that the people suffered at the hands of the police, but because of the outlook that we have just now before us. I therefore hope that my hon. Friend will not press the motion."

* Mr. H. F. P. HEARSON:—"Mr. President, Sir, it is with considerable reluctance that I rise to intervene in this debate, because, Sir, as I can assure you and all hon. Members of this House, nothing is further from the wishes of my friends and myself than to do or say anything that can possibly foster or increase any feelings of racial ill-will or antagonism, feelings that are so manifestly displayed in some parts of India and have shown themselves even in Madras.

"I can assure you, Sir, and the world, that my friends and I yield to no one in our feelings of sympathy with those innocent persons who have been hurt or injured on the occasions when others instigated proceedings which, as a deliberate challenge to the Government, necessitated the intervention of the police and the inevitable violence that resulted, violence I can assure the House as distasteful to the police as to the most tender-hearted member of this House. Were this motion, Sir, merely what it would pretend to be, an honest and sincere attempt to express sympathy with the innocent victims of others' challenge of the

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law and a desire to insure that, should similar occasions ever arise in this Presidency, which God forbid, the police should exercise only that minimum amount of force that is compatible with the exercise of the paramount duty of maintaining law and order, I do not think that any one would quarrel with the motion.

" But, Sir, however sincere or innocent the motives may have been that have actuated Mr. Sami Venkatachalam Chetti to move this motion and his friends to support it, it is manifest that the result goes much further, stirring up, as it does, resentment against, and hatred of, the police and so rendering even more difficult the execution of their difficult duty. Sir, in this critical phase of India's history it is, I feel, the duty of every man, particularly of those who have been called to this hon. House and have thereby become in a measure the leaders of the people, to nail their colours to the mast, and that my friends and I are not ashamed to do.

" Such a debate as this, Sir, has raised the question who is for civil disobedience and who is for orderly Government ? (Mr. Abdul Hameed Khan :—No, no.)

" I cannot believe, Sir, that there is a single Member of this hon. House who in his heart of hearts believes that civil disobedience is the road that leads to India's good. Now when the happiness and the fair name of India is at stake, let all honest men confess their faith.

" As I have said, Mr. President, Sir, it is far from my desire to arouse or increase ill-will and I hope that nothing which I may have said will be so misinterpreted, but, Sir, one thing I feel I must say, even at the risk of offending the hon. Mover of this resolution and his friends who have supported it, and that is those who, however innocent and sincere their motives may have been, rake up the dead embers of hatred and ill-feeling that were kindled last April and fan those embers into flame, are doing a great dis-service to their country. I, therefore, oppose this motion."

* Mr. C. SATYANARAYANA CHOUDARI :—" Mr. President, Sir, I had to rise to catch your eye more than once and I am glad that I have succeeded after all. The district which I have the honour to represent, namely Guntur, has played such a conspicuous and such an important part at every phase of the national struggle that I feel that any debate on this question of the political situation of the country and on the methods adopted by the Government in dealing with the situation would be incomplete without my taking part in it. Guntur, as you know, is a place of extremes. It is a very hot place, it is a place where the temperature at times goes up to 118 degrees. It is a place which is very much dreaded by people accustomed to Ooty life. It is a place where not only the climate is hot, but men also are hot. It is also a place which produces things which are hot. The chief produce of the district is chillies and these chillies are so hot that even ' ginger ' tastes insipid."

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Mr. B. POCKER SAHIB :—" Sir, are these matters relating to chillies relevant to the question at issue? "

* The hon. the PRESIDENT :—" Order, order, the hon. Member must know that the production of chillies has no connexion with the motion under discussion."

* Mr. C. SATYANARAYANA CHOUDARI :—" Sir, I am asked now to speak about the picture of police excesses, but a description of the picture without attempting to describe the background would be incomplete. (Laughter.) I am going to describe to the House about the police excesses that were committed in my district and as a background to what I am going to refer, I had to make this reference to the nature of the district.

5-30 p.m. " I shall now deal with the subject before the House. Therefore, Sir, it is on account of this heat that you find that in every scheme and every policy including the policy of the lathi charges adopted by the Government, Guntur has always come in for its share. And that is the reason why I feel justified to take part in this debate. (Hear, hear.)

" Sir, many things have happened between now and the last sitting of the last Council; and during this period of six or seven months during which the Council was not in existence the Executive have made themselves responsible for an administration and for a policy which has caused widespread alarm and discontent all over the country. Very serious allegations are made both on the floor of this House as well as outside about official excesses, and about indiscriminate attacks by the police upon innocent crowds. Allegations are made of deliberate attacks by the police upon the peaceful citizens of Madras when they were engaged in a beach meeting presided over by Mr. Sami Venkatachalam Chetti. Sir, it is alleged that the police deliberately provoked trouble. It is alleged that the police purposely put out the lights and went about beating the innocent crowd. It is alleged that the police opened fire, when the exigencies of the situation least required it. It is alleged, Sir, that a member of the Madras Bar lost his life on account of the reckless shooting of the police. And it was stated in the press at that time that panic prevailed in the whole city of Madras. The result was that responsible bodies—bodies which could not be summarily ruled out as ' professional agitators ', entered their emphatic protest against what was going on in Madras. The Madras Bar Association and no less a body than the Madras Corporation drew the attention of the Government to what was going on in the country, and we are yet to know what action the Government took on these representations.

" Coming to the mufassal districts, to which we, the Members over here, have the honour to belong, we too have not fared any the better. Allegations are made from time to time that the police are entering villages and that they are spreading terror and panic among the people. It is alleged, Sir, in a village in Kistna district, called Angalur, the police all on a sudden entered the village and without even a warning went about beating men, women and children indiscriminately. Sir,

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Angalur is a village with hoary literary traditions to its credit. It is in this village that the famous Telugu poet, the kaviraj of Telugu poetry, was born. It is a seat of learning and culture. It is a place where men and women are said to live in a literary atmosphere and therefore of high and noble ideas. It is a place where men and women are said to be capable of composing poems and singing ballads as easily as one writes his daily letters. It is in such a place, Sir, that the police committed unpardonable outrages. Naturally one would expect great sensation to prevail in those parts. And the result was a special committee was appointed; it had its sittings, made inquiries and finally it submitted its report to the Collector of the district and to the Governor. Again, Sir, may I know how the Government disposed of this matter?

"Now, Sir, there is the allegation that a pleader of the Bezwada Bar was assaulted by a police constable for the simple reason that he was wearing khaddar. We are told that his khaddar head dress was violently removed from his head, his khaddar coat was taken away and even the dhoti he was having round his waist was taken possession of by the police constable, and thus the pleader was stripped naked. Not only this, Sir, the alleged sequel to this incident is most disquieting, and we earnestly hope that it is not true. It is said, Sir, that the matter was taken to the notice of the District Collector; and the constable was given a reward of ten rupees. (Laughter.)

"Coming now to my own district, Guntur, here too we have not fared any the better. People clad in khaddar were chased by the police like mad dogs along the streets, and I need not say that the whole district was in a state of panic. We arranged a deputation to wait on the Collector, and I happened to be one of the deputationists. We interviewed the Collector, Mr. Stewart; Mr. Stewart is a courteous and kind man; after listening to our complaints he seems to have issued orders to the police forbidding the chasing of people. So from that day onwards the chasing of khadi dressed men was stopped, though the police were carrying on the other aspects of their activities.

"It was only the other day, Sir, that we heard that in the village called Khijipalem near Repalle the police went about the streets beating the people, men, women and children. Again a pleader of the Repalle Bar dressed in khadi, while on his way to Court, was abused and assaulted by the police in a manner for which there is absolutely no justification.

"Sir, these are very serious allegations, and a Government which claims to be a civilized one cannot afford to shut its eyes and ears to these charges of wanton misconduct on the part of its subordinates. Some time ago these allegations were brought to the notice of the Government of India by the Members of the Legislative Assembly, and replying on behalf of the Government, the hon. Mr. Haig and the hon. Mr. Rainy said that it was a matter which was within the peculiar competence of the Local Governments and that if it was referred to the Local Governments necessary action would be taken in the matter.

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From that answer one would have expected this Government to place before this Council an accurate, a full and through account of the situation and the methods adopted by them in that connexion. But what is it that we see here? Not only they had not done so; they have gone a step further and shut their doors against the faces of the hon. Members of this House when they sought to raise the issue on the floor of this House so that the Government may have an opportunity to vindicate itself against these charges and to convince us that we are still living under civil laws and that civil administration is still functioning and that the Government have not abdicated their authority to the Police or the Military. (Hear, hear.)"

(Opposition voices:—' Sit down, that will do; close soon.')

* Mr. C. SATYANARAYANA CHOUDARI:—" Is my time over?"

* The hon. the PRESIDENT:—" You have five minutes more."

* Mr. C. SATYANARAYANA CHOUDARI:—"Mr. President, Sir, this is the first time I enter this Council and this is the first time I speak, and therefore, I hope the hon. Members will not disturb my thoughts in this way. (Laughter.)"

Mr. ABDUL HAMEED KHAN:—" But this will not be your last speech. (Laughter.)"

* The hon. the President:—"Order, order, the hon. Member will continue his speech."

* Mr. C. SATYANARAYANA CHOUDARI:—"Now, Sir, I must say that by denying us this opportunity to raise this motion on the floor of this House and thereby denying themselves an opportunity to answer these charges in an open and straightforward manner, the Government have lost a golden opportunity of dispelling the discontent that has been caused by the alleged outrages in the several parts of this Presidency. This attitude of the Government in fighting shy of an open debate to clear themselves of the charges that have been levelled against them is likely to confirm the belief that after all the methods followed by the Government in dealing with the situation, or rather the weapons that the Government resorted to put down the political agitation are not clean."

Mr. F. E. JAMES:—" On a point of order, Sir. As I understand it, the question of allotment of days for the discussion of non-official business in the Council entirely rests with the discretion of His Excellency the Governor. Therefore I should like to know whether the hon. Member is in order in referring to that point."

* The hon. the PRESIDENT:—"Will the hon. Member repeat what he was saying?"

(Mr. C. Satyanarayana Choudari did not rise again.)

Mr. ABDUL HAMEED KHAN:—" The hon. Member has finished his speech. Mr. President, I beg to move that the question be now put."

* The hon. the PRESIDENT:—"The hon. the Home Member."

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* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"Mr. President, Sir, my hon. Friend, Mr. Sami Venkatachalam Chetti, has lost his usual temper when he spoke to-day in this House. Sir, I have often warmly complimented him for the very Parliamentary manner in which he often conducted himself in debates in this House. That was perhaps due to the fact that he was Leader of the Opposition in those days; and now that his position has changed, perhaps he thought it right to indulge in personal criticisms and personal attacks.

"As we all know, Sir, representations were made by various responsible bodies to the Government that a public inquiry should be made. But the Government, after going through the representations, thought that there was no necessity for appointing any committee of inquiry into the action of the Police that took place in Madras in April last in connexion with the civil disobedience movement.

"Sir, my Friend also said that the Indian Executive Members have always shown the greatest disregard to the Legislative Council. There is no use of making a general statement unless it is corroborated by facts. General statements, however much they may be repeated in this House, cannot become facts.

"My hon. Friend also said that the police have brought on themselves nothing but indignity on account of the action that took place in Madras. I think, I ought to say here that Government take an entirely different view of it. As I will show later on, in every part of the Presidency the action of the police could be easily justified by the fact that they were forced to do so by the attitude assumed by the processions, assemblies and crowds. My hon. Friend said that the use of force had been the rule of the day. Sir, my information has been that police action was resorted to only to avert riots and disorders only in certain places in Madras. In fact the police managed the situation so splendidly that people living in one part of the City did not know what was taking place in the other. Of course reckless statements have been made that the police went about beating every man they met in the street. May I ask if my hon. Friend was beaten by the police?

"Then he said that the Government have no humane feelings and that humanity required that the Government should take the police to task. But I may remind my hon. Friend that he knew very well that on the evening of the 22nd as a result of the meeting presided over by Mr. Prakasam, the previous day, stones were thrown at the Europeans, and they were molested. Did my hon. Friend raise his voice of protest? Does humanity consist in allowing European citizens to be molested by Indians?" 5-45 p.m.

Mr. SAMI VENKATACHALAM CHETTI:—"Don't create racial hatred."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I am dealing with the question absolutely impartially. I here stand for justice, but not for creating any kind of racial hatred. It does not matter to me whether a person is a European or Indian, but I deal with facts as they are. (Hear, hear.)

—"Sir, my hon. Friend has said that on the 25th April the people who were engaged in the satyagraha procession were beaten by the police and they were left there by the police without being taken care of. Sir, as you all know, before the events that occurred on the 25th April, there was a general feeling of insecurity whenever meetings were held on the beach. On the 22nd, stones were thrown at the police and they had to use lathis in order to disperse the crowd. And again on the same evening, as I have said, stones were thrown at military officers and at many of the European citizens who were passing through the beach road. When this was the state of affairs, the Commissioner of Police thought that, if he allowed this satyagraha procession of one hundred persons which very easily multiplied itself into three hundred on the 25th April there would be breaches of the peace in the city. Therefore, he ordered the people to disperse. Everybody dispersed except the satyagraha volunteers. Then, what have the police to do? Are they to allow them to go their own way and bring about the breach of the peace in the city or to stop the whole thing? The only course they had to adopt was to use force in order to disperse the satyagrahis. I think the Commissioner of Police was thoroughly justified in doing it, because when they were ordered to disperse in the interests of public peace, they refused to do so, and there was no other alternative for the police but to use force. And I was told, Sir, that after force was used, the police offered to take those injured persons in their cars to the hospital, but that offer was refused. So, there is no justification for my hon. Friend, Mr. Sami Venkatachalam Chetti, to say that they were all left on the road and were not taken care of by the police.

"Now, I come to the all-parties meeting. My hon. Friend has said that we Indian Executive Councillors, referring to Sir Krishnan Nayar and myself, in order to please our European Colleagues have to do a number of wrong things. But I may remind my hon. Friend that we have conscience. And what we have done is what we thought to be the right thing. It is open to me to impute motives to my hon. Friend, Mr. Sami Venkatachalam Chetti, for having brought about the all-parties meeting. The House knows that he was at first in the last Council the leader of the Swarajya Party, the leader of 43 people. But at the end of the term of the last Council he found that he was nowhere in the party."

Rao Sahib C. KOLANDA REDDI:—"I rise to a point of order, Sir. Is it relevant to the issue before the House?"

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"The hon. Mover has made personal attacks against me in his speech, and I am replying to them."

* The hon. the PRESIDENT:—"Order, order. I hope the hon. Member did not mean to make personal attacks."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"What I said was that personal attacks were made and I have also to say in reply what I feel in the matter. My hon. Friend having lost his political position wanted to make his fallen political fortunes."

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Mr. BASHEER AHMED SAYEED:—" On a point of order, Sir. The Standing Order says that no personal attack shall be allowed. Even if an hon. Member of this House has made personal attacks and they have been ignored by the President, that is no ground for another hon. Member to indulge in such personal attacks."

* The hon. the PRESIDENT:—" The hon. Member perhaps has not heard what the hon. the Leader of the House has said. He only said that he was replying to the attacks that had been made by the hon. Mover."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:— " Sir, anyhow, I say this, that my hon. Friend was responsible for bringing about that all-parties meeting on the 27th April. My hon. Friend ought to know, as a non-official of great experience, that at the time when there was a feeling of insecurity in this city, he had no business to bring about the all-parties meeting which necessitated police action. When the all-parties meeting assembled at the beach, the Choolai Mill strikers also joined it and the crowd was about ten thousand and soon it began to attack the police by throwing stones. The Government are thoroughly satisfied that stones were thrown at the police by the people who assembled at the beach, and the police thought that there was no other alternative for them to disperse the crowd but by using force.

" My hon. Friend has said that Mr. Govindaswami Mudaliyar was killed. The Government are very sorry that such a thing has happened, but we must all realize that in movements of this sort it is only the innocent that suffer. My hon. Friend, Mr. Sami Venkatachalam Chetti, easily brings about this meeting and innocent men like Mr. Govindaswami Mudaliyar and the fishermen are killed. Therefore, Sir, it is very necessary that responsible non-officials should see to it that when there is insecurity in a place, no meetings are called for to defy the authority of the police.

" My hon. Friend has also said that the Government have abdicated all their functions and handed over their responsibility to the Inspector-General of Police. In answer to a question this morning, I said that confidential instructions were issued by Government and as a result of those instructions the Inspector-General issued his own instructions. So, the Government did not abdicate their functions at all. I am glad, Sir, he also said that lawless movements must be suppressed. I think Government can take credit for having suppressed this lawless movement. All that he said was that we should adopt civilized methods. What those civilized methods were he did not say. But I say this that the measures used by the police in suppressing this movement have been absolutely civilized.

" Before I deal with the remarks made by other hon. Members I should like to make a few general observations. Sir, we all know that this civil disobedience movement is a destructive movement, a movement that would have brought chaos and anarchy to our country if it had succeeded. Government could not remain inactive but have to take steps to put it down."

Mr. G. SIMHACHALAM:—" Is it the wish of the House to talk it over, Sir?"

*The hon. the PRESIDENT:—" That is no point of order."

Mr. ABDUL HAMEED KHAN:—" I move, Sir, that the question be now put."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The closure motion cannot be made in the middle of a speech."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" In combating this movement of lawlessness the police had often to come into conflict with large, excited and riotous mobs and crowds. I must say that they have been very moderate and restrained in their actions, however great the provocation was. As you all know, great endeavours were made to seduce them from their duties. They were treated with contempt and were jeered at whenever they went to put down acts of law-breaking. In spite of all this they have been absolutely loyal and did their duty most honourably under the most trying circumstances. Hon. Members know what a good time they had when they went on their electioneering tours and how orderly the elections were conducted. All this is the result of police action which is being wrongly condemned in this House to-day. I think, Sir, I owe a duty to the police that I should say from my place in this Council that the Government are very thankful to them for the splendid manner in which they have discharged their duties and thus preserved peace and tranquillity in this province. Sir, it has been said that we have taken violent action at the very commencement of the movement. We must remember, Sir, that the civil disobedience movement broke out in its most acute form in our Presidency, and the Government have to take very firm action in order that it might be put down in the interests of the security, safety and protection of life and property of the citizens of this Presidency. Some gentleman said, Sir, that they were all non-violent satyagrahis. We know, Sir, how non-violent, or the so-called non-violent movements always lead to violence. We know, Sir, how the non-violent non-co-operation movement led to the Malabar Rebellion, and we know the number of people that were killed in that rebellion."

Mr. B. POCKER SAHIB:—"On a point of order, Sir, the Malabar Rebellion is not in issue now."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" Then again, Sir, the non-violent non-co-operation with the Simon Commission was preached. The result was the disturbance in the city on the 3rd February 1928. Therefore, in 1929, I, as the Police Member, was called upon to make police bandobust.

" Now, Sir, I have one or two words further to say. Reference has been made by my hon. Friend, Dr. Natesa Mudaliyar, to the super-maximum force that was used by the police. I do not know what super-maximum force was used. All that we did was to use the minimum force in every instance where the police were interfered with by

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the mob. Stones were thrown on them, they were spat at, they were jeered at, they were talked of with great contempt, and a great deal of provocation was brought on them. It was only then that they acted, and that with great restraint, and did their duty admirably in every instance. Further, Sir, my friend said that the police have taken the law into their own hands. I do not know what law the police have taken into their own hands. I wish my hon. Friend had quoted specific instances of such cases."

* The hon. the PRESIDENT:—"Order, order. It is now six o'clock and the motion automatically lapses. The House will now adjourn and meet again in January 1931 on a date to be communicated later on."

XIII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

1. [a] G.O. No. 703, Finance, dated 4th November 1930, accepting the resolution of the Legislative Council moved by Mr. J. A. Saldanha at the meeting held on the 8th August 1929 regarding the increase in the number of elected members on the Finance Committee from six to eight.

2. The report [b] of the Madras Services Commission for 1929–30.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.



[a] Printed as Appendix II on page 174 infra.
[b] Printed as Appendix III on pages 175—177 infra.

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APPENDIX I.

[Vide answer to question No. 23 asked by Mr. U. C Subrahmanya Bhatt at the meeting of the Legislative Council held on the 19th November 1930, page 126 supra.]

G.O. No. 766 (S-14), Public (General), dated 23rd June 1930.

The Government understand that the supporters of the civil disobedience movement in the Kistna district are contemplating the institution of civil suits against certain magisterial and police officers in regard to the action taken by those officers in Angalur and neighbouring villages in connexion with the civil disobedience movement. The Government desire to assure all their officers of whatever rank that any action they may take in good faith in the discharge of their duties in connexion with the civil disobedience movement will be supported by the Government in all cases where their conduct is impugned without justification.

(By order of the Governor in Council)

C. B. COTTERELL,
Acting Chief Secretary.

To all District Magistrates and heads of departments.
,, the Commissioner of Police.
,, the Deputy Inspector-General of Police, C.I.D.
,, the departments of the Secretariat.

APPENDIX II.

[Vide item XIII—Papers laid on the table of the House, at page 173 supra.]

G.O. No. 703, Finance, dated 4th November 1930.

The Government are pleased to accept the following recommendation made by the Madras Legislative Council on a Resolution moved by Mr. J. A. Saldanha at the meeting held on the 8th August 1929 :—

"That this Council recommends to the Government that the Finance Committee annually appointed in pursuance of the Resolution of the Council passed at its meeting on 1st April 1921 shall consist, in addition to the three nominated members, of whom one shall be the Finance Member of Government, of eight members to be elected by the Council according to the method of the single transferable vote."

(By order of the Governor in Council)

H. A. WATSON,
Secretary to Government.

Press.

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APPENDIX III.

[Vide item XIII—Papers laid on the table of the House at page 173 supra.]

The report of the Madras Services Commission for 1929–30.

Letter from the Secretary, Madras Services Commission, to the Chief Secretary to Government, dated Madras, the 2nd September 1930, No. 424-B/30.

I am directed to submit, as required under section 20 of the Madras Services Commission Act (Act XI of 1929), the following report of the proceedings of the Commission for the year 1929–30.

2. The Commission was constituted in G.O. No. 5, Public, dated 3rd January 1930, with

Sir Norman Marjoribanks, K.C.I.E., C.S.I., as the Chairman, and

Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur, C.I.E., O.B.E., and

Mr. M. Ratnaswami, C.I.E., as members.

All the Commissioners entered on their duties on 3rd January 1930. They appointed as their Secretary M.R.Ry. Rao Sahib C. P. Karunakara Menon Avargal, who assumed charge of his office on 3rd January 1930.

3. During the three months of the year under report, the Commission were engaged in examining the rules and notifications issued regarding the various public services and considering and framing schemes for the taking over ultimately of all the duties and functions prescribed for the Commission by the Madras Services Commission Act (Act XI of 1929), especially recruitment to services and the conduct of the various special test examinations and departmental tests. They submitted to the Government proposals regarding the conduct of these tests and a scheme for the recruitment by a competitive examination of candidates for clerk-ships (including typists) in the Government offices in the whole presidency. The Commission also examined the Public Service Notification which prescribes qualifications for appointments in the public services and submitted proposals to the Government for amending the notification so as definitely to authorize the Commission to deal with applications for declaration of eligibility for admission to posts in the superior service.

4. The Commission were requested during the year to select candidates for the following classes of appointments:—

Assistant Inspectors of Excise,
Sergeants of the Madras City Police,
Clerks and typists for the Madras City Offices, and
Assistant Superintendent, School of Arts and Crafts, Madras.

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Selection for the first three classes of appointments were made during the year. Detailed statistics of applications, candidates, etc., connected with these selections are given in Appendix A to this report.

The number of applications received for the post of typist was poor, being 22 out of which only 18 were from candidates who had passed the typewriting examination in the higher grade.

In connexion with the selection of Assistant Inspectors of Excise, the Commission observed, on examining the question of communal representation, that some previous appointments to this class of post had not been made according to the Statutory Rule in this respect which applied the order of communal rotation to admission to each class of post in the Excise Subordinate Service. The Commission brought to the notice of the Government this violation of the Statutory Rule and the Government proposed to revise the rule so as to bring it into accord with their intention to apply the principle of communal rotation only to first admission to a service in any class and not to admission to each class in a service.

Including references from the Government under the Madras Services Commission Act, 891 references were dealt with by the Commission out of which 12 remained to be disposed of at the end of the year. The references from Government were mostly for advice on—

Draft rules under the Civil Services (Governors' Provinces) Delegation Rules,

Nominations under section 11 of the Act for admission to Provincial Services by promotion from Subordinate Services,

Appeals to Government and proposals for punishment, under section 15, and

Memorials to Government under section 16.

The Commission dealt with 12 appeals and, in advising the Government as to the orders to be passed on them, brought to their notice the delays made in the various offices in dealing with two of the appeals and the defective procedure in the enquiry in two other cases. In the seven cases in which the Commission's advice was sought on proposals to punish officers, the Commission had to differ in three cases from the proposals made by the heads of departments and had to point out in another case the failure to comply with the prescribed procedure in the enquiry.

The recommendations of the Commission were accepted by the Government in all the cases referred to the Commission.

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Appendix A.

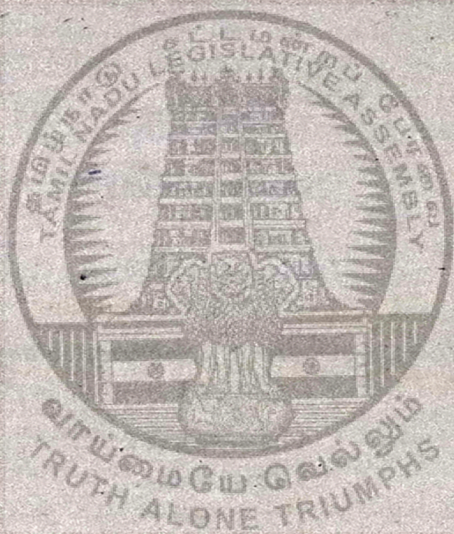
Selections made by the Commission under section 10 of the Act.

Number of vacancies.	Applications received.	Applicants qualified.	Appeared for interview.	Recommended.
		ASSISTANT INSPECTOR OF EXCISE.		
		Non-Brahmans.		
1	49	22	16	3
		Muhammadans.		
1	8	3	2	2
		SERGEANTS.		
		Europeans.		
4	55	19	7	4
		TYPISTS.		
		Brahmans.		
..	16	13	12	10
		Non-Brahmans.		
..	4	4	4	4
		Indian Christians.		
..	1	Nil.	Nil.	Nil.
		Others (including depressed classes).		
..	1	1	1	1
		CLERKSHIPS.		
		Brahmans.		
..	3	3	3	3
		Non-Brahmans.		
..	4	4	4	3
		Muhammadans.		
..	2	2	2	2

Appendix B.

References to the Commission under other sections of the Act.

	Number of references.
Recruitments by promotion (section 11)	4
Proposals for punishment (section 15)	7
Appeals (section 15)	12
Memorials to Government (section 16)	2


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS